

1 SOUTHCENTRAL
2 FEDERAL SUBSISTENCE REGIONAL
3 ADVISORY COUNCIL

4 Taken at:
5 Hawthorn Suites Hotel
6 Anchorage, Alaska

7 October 2, 2001

8 ATTENDANCE

9 Council Members Present:

10 Ralph Lohse, Chair
11 Fred Elvsass
12 Roy S. Ewan
13 Fred John
14 Clare Swan

15 Coordinator:

16 Ann Wilkinson

17 Others Present:

18 Tom Boyd, US FWS; Tim Jennings, US FWS; Carl
19 Jack, BIA/US FWS; Pat Petrivelli, US FWS;
20 Bill Knauer, US FWS; Richard Uberuaga, US
21 FWS; Pete Probasco, US FWS; Ida Hildebrand,
22 BIA; Helga Eakon, OSM; Michelle Chivers,
23 OSM; Eric Veatch, Wrangell-St. Elias National
24 Park; Larry Buklis, OSM; Ken Holbrook,
25 Chugach National Forest; Lonita M. Lohse,
26 Chitina Native Corporation; Dave Nelson,
27 NPS; Sandy Rabinowitch, NPS; Charles
28 Swanton, ADF&G; Larry Boyle, ADF&G; Janet
29 Cohen, NPS; Devi Sharp, NPS; Mason Reid,
30 NPS; Chris Dippel, US FWS; Connie Friend,
31 Tetlin NWR; Arvid Hogstrom, WRST; Gloria
32 Stickwan, CRNA; Betty Goodlataw, Tazlina;
33 Sue Aspelund, CDFU; Molly McCormick,
34 Wrangell-St. Elias National Park; Sandy
35 Scotton, NPS; Rob Spangler, USFS; Lin
36 Perry-Plake, ADF&G; Jane Nicholas, Cantwell;
37 Bruce Cain, Native Village of Eyak; Michael
38 Link, LGL; Dan LaPlant, OSM; Jim Hall, Kenai
39 NWR; Doug McBride, OSM; Ray Neeley, Ahtna;
40 Milo Burcham, USFS; Bob Gerhard, NPS; Mary

1 McBurney, NPS; Rod Simmons, FWS; Sherry
2 Wright, ADF&G; Wilson Justin, Mt. Sanford
3 Tribal Consortium; Joseph Hart, Ahtna; Gary
4 Sonnevil, US FWS; Sabrina Fernandez,
5 Attorney General's Office; Barry Mayala,
6 USDA; Martin Myers, USFS; Thomas Hicks,
7 Chistochina; Greg Bos, FWS; Linda Tyone,
8 CRNA; Virginia Gene, CRNA; Donald Mike, OSM;
9 Judy Gottlieb, NPS; Tim Joyce, USFS; Bob
10 Hench, Eyak; Ken Thompson, USFS; Taylor
11 Brelsford, BLM; Bill Simeone, ADF&G; Richard
12 Davis, OSM; Robert Lohse, Lower Tonsina;
13 Gary Stervig, Chickaloon Village; Jeffrey
14 Bryden, USFS; Jeff Denton, BLM; Hollis
15 Twitchell, Denali National Park; Steve
16 Klein, FWS; Jessica Cochran, APRN; Jeff
17 Denton, BLM; Matt Evenson, ADF&G; Jerry
18 Berg, US FWS; Patty Brown-Schwalenberg,
19 Chugach Regional Resources Commission; Pete
20 DiMatteo, US FWS; Delice Calcote, Cook Inlet
21 Marine Mammal Council; Beth Haley, LGL; Fred
22 Bahr; Charlie Edwardsen.

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1 PROCEEDINGS

2 MR. LOHSE: Did everybody sign in
this morning?

3 I'd like to call this meeting of
the Southcentral Regional Advisory Council
4 back in session.

5 MR. JENNINGS: Microphone,
Mr. Chair.

6
7 MR. LOHSE: I'd like to call the
meeting of the Southcentral Regional
Advisory Subsistence Council back in
8 session.

9 We going to start with Proposal
20. We'll have an introduction by Larry.

10 MR. BUKLIS: Thank you, Mr.
Chairman. Larry Buklis, Office of
11 Subsistence Management. I'll be covering
staff analysis for Proposal No. 20. That
12 can be found in your council book, on page
133.

13 This proposal for the Batzulnetas
Fishery in the Upper Copper River was
14 submitted by the Subsistence Fishery for the
Wrangell-St. Elias National Park and
15 Preserve. The preserve requests households
with a permit to fish in the Batzulnetas
16 Fishery, to also have an additional Federal
permit to fish in the Upper Copper River
17 District. An NPS Subsistence Fishery permit
issued by the Parks Service is required to
18 take salmon in the Batzulnetas Fishery. An
NPS fishing permit is also required to
19 participate in the Glennallen Fishery. At
present a Federal season has not been
20 established for the Chitina Subdistrict,
although 17(b), which we discussed
21 yesterday, would establish that season.

22 Proposal 17(b), which we
discussed yesterday, also addresses the
issue of Federally qualified fishers
23 obtaining permits for both the Glennallen
Subdistrict and the Chitina Subdistrict
24 within the same year. Although the harvest
limit in combination will remain the same as
25 it is now for Glennallen Subdistrict alone.

If Proposal 20 were put into

1 regulation and was adopted as proposed, a
2 household which was issued a subsistence
3 permit to take salmon in the Batzulnetas
4 Fishery could also be issued permits for
5 Glennallen and/or Chitina subdistricts if
6 the household qualified for those fisheries.
7 This represents a broadening of subsistence
8 opportunity. Current regulation allows only
9 one permit to be issued per year to a
10 household for the subsistence take of salmon
11 in the Prince William Sound area. The
12 participation level in the Batzulnetas
13 Fishery has been very small, ranging from
14 zero to eight permits issued since 1987.
15 Harvest for the six years during the
16 ten-year period, 1990 to '99 in which
17 permits were issued averaged 298 sockeye
18 salmon, which was less than point .02
19 percent of the total sockeye salmon harvest
20 in the Copper River Fisheries. So there
21 were six years in which permits were
22 actually issued in the 1990s, and for those
23 six years the permits were out there, the
24 harvest was 298 sockeye salmon. That's less
25 than 2/100ths of 1 percent of the Copper
River sockeye harvest. The additive effect
of allowing holders of Batzulnetas permits
to also hold permits for the Glennallen or
Chitina subdistricts is minimal to the very
size of the Batzulnetas fishery.

16 The staff analysis recommends to
17 support the proposal.

18 MR. LOHSE: Thank you.
19 Any questions for Larry?
20 If not, we will go to the Alaska
21 Department of Fish -- I forgot to use the
22 microphone.
23 Any questions for Larry?
24 With that, we'll go on to the
25 Alaska Department of Fish & Game report.

22 MR. SWANTON: Good morning,
23 Mr. Chairman, Board members.
24 This is the staff comments for
25 Proposal No. 20. The State supports this
proposal as it would allow one permit per
subdistrict per season. It would thus allow
Batzulnetas permit holders to also get a
permit for the Upper Copper River District.

1 The limited number of permits issued for the
2 Batzulnetas Fishery and the low harvest of
3 salmon that has occurred in this fishery has
4 likely resulted in the qualified users
5 obtaining fish from the Glennallen
6 Subdistrict users. Under State management,
7 Batzulnetas permit holders were not eligible
8 for permits in the Glennallen or Chitina
9 subdistricts and were not issued permits if
10 they already possessed permits for the
11 Batzulnetas Fishery. Permits for the
12 Glennallen or Chitina subdistricts may have
13 been obtained by related family members, but
14 not by those listed on the Batzulnetas
15 fishing permit.

16 The proposal is reasonable and
17 provides flexibility for subsistence
18 harvesters. The State maintains that
19 harvests taken in either area should count
20 towards a single seasonal household limit of
21 500 for those households that obtain both
22 permits, Mr. Chairman.

23 Thank you.

24 MR. LOHSE: Any questions for
25 Charlie?

26 No questions basically. You said
27 the same thing they did that the fish should
28 apply to a total fish for all permits,
29 right?

30 MR. SWANTON: Yes, that is
31 correct. I mean, we're assuming that the
32 maximum is 500 fish per household.

33 MR. LOHSE: Larry?

34 MR. BUKLIS: Mr. Chairman, what I
35 heard from the Department comments was
36 agreement in the analysis summary I
37 presented, except the analysis summary and
38 the analysis do not recommend that the
39 Batzulnetas harvest count against the Upper
40 Copper River District total, and that is
41 what the Department recommends. The
42 analysis recommends that as proposed by the
43 proponent, the Resource Commission,
44 Subsistence Resource Commission, a holder of
45 a Batzulnetas permit could also obtain a
46 Chitina and/or Glennallen Subdistrict

1 permit. So we're in agreement there.

2 But the proponent and my analysis
3 do not recommend -- do not argue for that
4 harvest in Batzulnetas counting against the
5 Upper Copper River District total.

6 In other words, when we talked
7 yesterday about 17(b) harvests in the
8 Glennallen Subdistrict and/or the Chitina
9 Subdistrict it would be allowed to run up to
10 a total of the current Glennallen harvest.
11 We're saying here that the Batzulnetas
12 permit would not count against that total.
13 We didn't think that the harvest level in
14 Batzulnetas was large enough to be a concern
15 such that we had to have a three-permit
16 total, and such a person would have to carry
17 all those permits with them when they're
18 fishing in any one district. We were
19 viewing the Batzulnetas Fishery as a
20 permitted fishery separate from the other
21 two and the totals wouldn't count to a grand
22 total limit.

23 MR. LOHSE: Was that mostly just
24 for bookkeeping and permit carrying sake, or
25 was there actually a request to have those
26 fish not count towards the total so that
27 there could be more fish taken, or was it --
28 is it -- like I said, is it mostly just so
29 that it's easier to keep records and
30 permit -- so you don't have to do quite such
31 complicated permitting?

32 MR. BUKLIS: Mr. Chairman, the
33 proposal doesn't specifically request that
34 this not count against the Upper Copper
35 River District total. It doesn't argue for
36 that exclusion. It simply says they're
37 asking that a person holding such a permit
38 not be excluded from obtaining one or more
39 permits for those downriver districts.

40 MR. LOHSE: Do you see a problem
41 with the proponents or the people involved
42 having a seasonal total that equals the
43 seasonal total of the residents of the
44 subsistence fishery up there?

45 MR. BUKLIS: Mr. Chairman, it's
not a problem in terms of regulatory

1 development and enforcement -- we could
2 require that such a permit holder carry
3 all -- any and all permits with them if they
4 have multiple permits, just like fishers in
5 the Upper Copper River District. It was
6 just that the harvest levels have been so
7 small in the Batzulnetas Fishery that it
8 didn't seem like at this point that
9 requirement was a conservation factor. But
10 it's not a problem to do the bookkeeping or
11 permit issuance, no. It just wasn't seen as
12 necessary at this point. If the harvest
13 levels grew or for some other reason became
14 something that needed to be addressed, we
15 felt that we could require that later, but
16 we're not opposed to such a requirement.

17
18 MR. LOHSE: I guess that's what I
19 was asking if the proponent or the people
20 involved were opposed to it. It seems to me
21 like for consistency's sake, it would be --
22 you know, just for a feeling of fairness
23 amongst all of the users that it would be
24 consistent to have the total bag limit for
25 everybody that's on the river, and I just
26 was wondering if there was a problem with
27 that.

28 MR. BUKLIS: Mr. Chairman, the --
29 those of us involved in regulatory review
30 aren't opposed to what you just said. I
31 can't speak for the proponents. Maybe
32 others here can.

33 MR. LOHSE: Thank you.
34 Are there any other agencies that
35 have comment -- any other questions for
36 Larry or John?

37 Thank you.
38 Are there any other agencies that
39 have comments on this? Parks Service?

40 MR. VEACH: Mr. Chairman, Eric
41 Veach, Wrangell-St. Elias National Park. I
42 might be able to give you just a little bit
43 of clarity, kind of the thoughts as far as
44 how the number of fish would be distributed
45 between the permits, sort of our original
46 thought I think what they were getting at to
47 fish at the Batzulnetas Fisheries to fish

1 downstream. Some of the fish may not show
2 up at the creek; it's a variable run. As
3 far as putting those fish against the
4 Glennallen fish. Batzulnetas also occurs
5 upstream. The fish swim through the
6 Glennallen District. And through
7 Batzulnetas -- there's not really any
8 incentive, I guess, to go downstream to get
9 fish in the Glennallen fish district. As I
10 think you're aware, there's no limit to the
11 Batzulnetas Fisheries, as far as -- as far
12 as taking the fish that were say caught in
13 the Glennallen District, and applying it to
14 the Batzulnetas Fisheries, since there's no
15 limit in the Batzulnetas Fishery, by the
16 time folks are catching fish in the
17 Batzulnetas, there's no reason to go down
18 and fish in the Batzulnetas district. Fred
19 John might be able to answer a little
20 better. I don't know that that would make
21 much of a difference for the folks that were
22 fishing there, if they had to apply the fish
23 in the Glennallen Subdistrict. That's the
24 reason we didn't address it. We just didn't
25 think it would be an issue.

14 MR. LOHSE: Thank you, Eric.
That kind of explains things, somebody else
15 to give us some clarification.

16 MR. GERHARD: My name is Bob
Gerhard. I'm with the National Parks
17 Service. I want to add one more piece to
18 this. As you know, the Batzulnetas Fishery
19 was operated under court order for many
20 years, and that court order was for a
21 thousand fish. So, even though that court
22 order has been superseded by the
23 regulations, I think people would be fairly
24 nervous if a lower limit than that was
25 imposed.

22 MR. LOHSE: Thank you.

23 MR. SWANTON: Mr. Chairman, I
believe that a thousand-fish limit was for
24 those people collectively participating, not
a thousand per permit.

25 MR. LOHSE: Thank you, Charlie.

1 Are there any Fish & Game
Advisory Committee to speak to it?
2 Written public testimony?

3 MS. WILKINSON: Mr. Chairman, the
only written comment we received is from
4 CDF -- CDFU. Do you want to comment on
that? So do you want to do that?
5 She'll do that under public
testimony.

6
7 MR. LOHSE: Thank you, Ann.
We'll go to public testimony. Gloria?

8 MS. GOODLATAW: My name is Betty
Goodlataw. I'm representing Tazlina. CNR
9 supports households with a permit to fish in
the Batzulnetas and Upper Copper River
10 District, using fishwheel, dip nets, rod and
reel to keep the harvest limit the same as
11 Glennallen Subdistrict.

12 MR. LOHSE: Basically to keep the
harvest limit to the same as Glennallen
13 Subdistrict?

14 MS. GOODLATAW: Right.

15 MR. LOHSE: Sue Aspelund?

16 MS. ASPELUND: Sue Aspelund,
Cordova Fishermen United. Normally we
17 wouldn't have commented on a proposal like
this. However, we did comment. We are
18 opposed to the language as we responded to
it in June simply because the proposed
19 regulatory language did not specifically
speak to Batzulnetas, and we felt that would
20 create confusion in the minds of the users.
The justification spoken about, we knew what
21 the issue was, but we fully support the
language as it's currently written now.

22 MR. LOHSE: Thank you, Sue.

23 Okay. I don't think I have
anybody else that's asked to speak to
24 Proposal 20.

25 If I'm missing somebody, let me
know. But I don't find anybody else that's
down for 20.

1 Okay. At this point in time, a
2 motion to put this proposal on the table is
3 in order.

4 MS. SWAN: So move.

5 MR. LOHSE: It's been moved.
6 Do I hear a second?

7 MR. JOHN: Second.

8 MR. LOHSE: It's been seconded.
9 And the proposal is that a household may
10 also be issued a Batzulnetas Fishery permit
11 in the same year. Households with the
12 National Parks Service permit to fish in
13 Batzulnetas will also be allowed to obtain
14 additional Federal permits, one per
15 household, to fish in the Upper Copper
16 District.

17 One per subdistrict. That means
18 they could have one in Batzulnetas, one in
19 Upper Copper, Glennallen Subdistrict, and
20 one in Chitina District.

21 MR. ELVSASS: That's three.

22 MR. LOHSE: That's one per
23 district.

24 MR. ELVSASS: Okay. I follow
25 you, one per district.

26 MR. LOHSE: Okay. Discussion?

27 MS. SWAN: Mr. Chairman, could
28 you clarify what the harvest number is
29 allowed under the permits, please? Or would
30 be allowed with these permits?

31 MR. LOHSE: Underneath this --
32 underneath this, the way it's written, they
33 would be allowed 500 in the Upper Copper and
34 unlimited in the Batzulnetas.

35 Am I correct on that, Larry?

36 MR. BUKLIS: Yes, Mr. Chairman, I
37 wanted to mention that when we discussed
38 17(b) yesterday. You read into the record
39 the full regulatory language for 17(b) which

1 specified the harvest limits that would be
2 in place for Glennallen Subdistrict and the
3 new Federal Fishery in the Chitina
4 Subdistrict and the upper limit is the
5 number you said with an application for an
6 expansion from their base limit, a household
7 could go up to 500 salmon, you're right.
8 And as other people have commented from the
9 Parks Service this morning, the Batzulnetas
10 Fishery currently does not have a harvest
11 limit. So, the effect of the proposal
12 modification you talked about this morning
13 of pooling the three permits into one total
14 limit would have the effect of imposing a
15 limit on the Batzulnetas Fishery. If they
16 can only go up to the total currently in
17 place downriver in Glennallen or Chitina, it
18 would have the effect of implementing an
19 upper limit for Batzulnetas permit and that
20 permit currently doesn't carry a limit.

21 MR. LOHSE: Larry, as I
22 understand it, though, the way that this is
23 written, this does not impose a limit on the
24 Batzulnetas Fishery; it imposes the same
25 limit that applies on the Upper Copper
26 Fishery to the Upper Copper Fishery permit,
27 so consequently, there is a 500 total for
28 the Upper Copper -- I mean, the maximum
29 would be 500 total for the Upper Copper
30 permit, but there still would be no total
31 for the Batzulnetas Fishery, the way this
32 proposal is written.

33 MR. BUKLIS: That's exactly
34 correct.

35 MR. LOHSE: So, if there was
36 going to be a total limit, an amendment
37 would have to be added?

38 MR. BUKLIS: Yes, if you wanted
39 to require that a person holding a
40 Batzulnetas permit could only catch up to
41 the limits currently in place downriver that
42 would be an amendment you would have to work
43 on to this regulatory language, that's
44 correct.

45 MR. LOHSE: Thank you.

1 Fred?

2 MR. ELVSASS: I was just
3 wondering, approximately how many people
4 would qualify for the permits from
5 Batzulnetas? As I understand it, there's
6 been between one and eight applied, but how
7 many would be eligible, about?

8 MR. SWANTON: Mr. Chairman, Vice
9 Chair, on page 137 of your book, it's got a
10 bunch -- it has a bunch of historical
11 information that might be valuable to you at
12 this juncture. It references in 1994, five
13 permits were issued and 997 sockeye, '95,
14 four permits; no permits in '96. Three
15 permits in '97. One permit in '98, and one
16 permit in '99 with an average harvest of
17 sockeye in Batzulnetas Fishery of 298.

18 MR. LOHSE: And, Charlie, that's
19 a total harvest for all the permits
20 involved. That's not an individual family
21 harvest, right?

22 MR. SWANTON: That is correct.
23 298 is an average of all of the permits that
24 fished and the total number of fish that
25 were harvested in that fishery.

MR. LOHSE: Thank you, Charlie.

MR. ELVSASS: Fred, what do you
think?

MR. JOHN: I really don't know --
I think -- I think probably one permit.
Usually everybody shared a permit. We
hardly catch any sometime. I don't think
that's hardly anything. Mostly -- most of
the time we fished there it's probably
during the camp at Batzulnetas -- we have a
camp every year -- they put the fishwheel in
toward the end of June, and it's a long way,
so you had to almost, you know, go down
there almost -- it's shut off, you know,
when nobody's there, so the only time the
fishwheel is running is when somebody goes
down there and camps there for a couple
days. And they only got one fishwheel

1 there.

2 MR. LOHSE: Larry?

3 MR. BUKLIS: Thank you,
4 Mr. Chairman. Yes, and to follow up on
5 Charlie's response in terms of harvest
6 numbers, if you're getting at how many users
7 are eligible for Batzulnetas, the C and T --
8 the Federal C and T is Mentasta Lake and Dot
9 Lake residents. So residents of those two
10 communities are eligible to apply for a
11 permit?

12 MR. LOHSE: Yes. But if I
13 remember right, that's basically private
14 property there and it's a very limited
15 amount of people that can use it. I was
16 going to ask Fred a question. So,
17 basically, it's used at the culture camp and
18 is the permit for the fishwheel as a whole
19 or is it issued to individual families?

20 MR. JOHN: Usually, one person
21 gets a permit there, and they just share a
22 fish there, so it goes to the whole village.
23 They don't really catch that much there.
24 Everybody shared a fish in the culture camp
25 and whatever they actually got, just issued
26 one permit.

27 MR. LOHSE: Thank you, Fred.

28 MR. JOHN: I want to make another
29 comment, Mr. Chairman. But the fish gotten
30 up in our area, they're not as good down in
31 Chitina and Copper -- I mean they're edible.
32 They're still good, but we like -- we like
33 actually Chitina -- we like fish that's
34 fresher.

35 (Laughter.)

36 MR. LOHSE: I know what you mean.
37 After you eat the fish off of the flats,
38 it's hard to eat them in Chitina.

39 (Laughter.)

40 MR. LOHSE: As this proposal is

1 written, basically, what we're dealing with
is we're dealing with whether or not we feel
2 that the Batzulnetas Fishery and the
additional fish will impact the total catch
3 on the run from the information we've been
given. I don't see that at this point in
4 time.

If it would ever become a
5 problem, at that point in time, it imposes a
total limit on it if that's what we want to
6 do. As the proposal is written right now,
basically what it just says is that person
7 that puts the fishwheel down in Batzulnetas
can also go down and fish in the Upper
8 Copper. That would also explain why the
number of permits at Batzulnetas is so low,
9 because they have no incentive to put more
than one permit in there because they're not
10 taking that for fish. They're using the
wheel for that type of a purpose.

11 I guess I don't see any problem
with it the way it's proposed, as much as I
12 did to start off with.

13 MR. ELVSASS: Mr. Chairman, as I
understand it, one person gets the permit
14 for a fishwheel; is that right?

15 MR. JOHN: Yes, usually.

16 MR. ELVSASS: That person is
going to have, say, 300 fish counted against
17 their take. So, it wouldn't be fair to that
person because they do share these fish
18 amongst the village to say, "Well, you can
only get 200 for yourself downriver." So, I
19 don't think it would be right to expect that
permit -- if he needed 400 fish, he's not
20 going to put the fishwheel in at
Batzulnetas. So, I think, you know, well,
21 you look at it in that light, it's such a
small amount of fish in totals that we're
22 better off not to have those fish counted.
If it gets to be a problem where there's a
23 high user and a lot of fish come in, then it
would be a different matter. But it's my
24 understanding a run by that time up there is
not that much.

25 Isn't that right?
They must probably be catching

1 probably 10 or 15 fish a day.

2 MR. JOHN: Probably.

3 MR. ELVSASS: So, I couldn't
4 support any notion to include those fish in
5 the total for the Glennallen and Chitina
6 count.

7 MR. LOHSE: Okay. Well, then if
8 there's no further discussion, the question
9 is in order.

10 MR. ELVSASS: Question.

11 MR. LOHSE: The question has been
12 called. All those in favor of the Proposal
13 20 as read, signify by saying "aye."

14 COUNCIL MEMBERS: Aye.

15 MR. LOHSE: All opposed, signify
16 by saying "nay."
17 Motion carries.

18 With that, we're going to go on
19 with Proposal No. 18.

20 MR. BUKLIS: Mr. Chairman, the
21 staff analysis for Proposal 18 is on page
22 124 in the council book. Page 124.

23 This proposal for the Upper
24 Copper River District was submitted by the
25 Subsistence Resource Commission for
26 Wrangell-St. Elias National Park and
27 Preserve. It requests that regulations be
28 corrected regarding retention of
29 rainbow/steelhead trout caught in fishwheels
30 and dip nets and that those legally retained
31 from a fishwheel have the dorsal fin removed
32 immediately.

33 Current regulations prohibit
34 retention of rainbow/steelhead trout taken
35 incidentally by fishwheel. However, these
36 fish are typically dead or incapable of
37 survival after release and the regulation is
38 not being enforced. Regulations allow
39 retention of rainbow/steelhead trout taken
40 incidentally in subsistence net fisheries
41 targeting other fish species. The rationale
42 for this was that fish captured in gil net

1 fisheries are either dead or incapable of
2 surviving after release. But a dip net
3 fishery is also a net fishery.

4 Fish captured by dip net should
5 be able to survive after release.

6 State regulation for the
7 subsistence dip net fishery in the Chitina
8 Subdistrict does require immediate release
9 of rainbow/steelhead trout without further
10 harm.

11 This is not required in State
12 regulations for the Glennallen Subdistrict,
13 although the proponent notes that many
14 dipnetters voluntarily release rainbow and
15 steelhead trout unharmed to the water.
16 Steelhead are the anadromous form of rainbow
17 trout. Rainbow and steelhead trout in the
18 Upper Copper River Drainage are considered
19 among the northernmost wild stocks of the
20 species in North America. The rainbow
21 steelhead population in the area are thought
22 to be relatively small and not productive,
23 as compared to elsewhere in the range.
24 Harvest of wild rainbow trout in sport
25 fisheries in the Copper River drainage
during the 1990s averaged 944 fish per year,
while wild harvest of steelhead trout
averaged 18. Unpublished subsistence data
permits indicate that incidental fishwheel
harvest of steelhead ranges from about 14
fish to 114 per year.

The proposed regulatory changes
would recognize current practice by allowing
the retention of rainbow and steelhead trout
taken incidentally by fishwheels. As
proposed, removal of the dorsal fin would be
required immediately, so as to remove
potential trophy value of these trout.

However, current regulations regarding
marking of subsistence-caught salmon
require removal of both lobes of the tail
fin. Consistency in the regulations as to
how these fish could be marked in the Copper
River would mean less potential for
confusion among fishers.

In the interest of conservation,
it should be required that rainbow and
steelhead trout caught by dip net be
released unharmed immediately. So in
conclusion, the analysis recommends support

1 with modification. Require that both lobes
2 of the caudal fin instead of the dorsal fin
3 be removed from rainbow and steelhead trout
4 retained for subsistence purposes, but that
5 in agreement with the proposal, rainbow and
6 steelhead trout caught by fishwheel may be
7 retained and rainbow and steelhead trout
8 caught by dip net should be released
9 immediately without further harm.

10 MR. LOHSE: Thank you, Larry.
11 Basically, the staff recommendations are the
12 change of the dorsal fin to caudal fin and
13 otherwise the support of the proposal as
14 written?

15 MR. BUKLIS: That's correct,
16 Mr. Chairman.

17 MR. LOHSE: Thank you.
18 Any questions for Larry?

19 MR. ELVSASS: Yes. Is this in
20 addition to the tail fins being cut off?
21 Trim this whole fish?

22 MR. BUKLIS: Mr. Chairman, this
23 modification would say instead of clipping
24 the dorsal fin, instead of that, to clip the
25 tail fin, because that would be the same as
26 what's required with the salmon that are
27 caught. So there wouldn't be confusion
28 about which fins to mark.

29 MR. ELVSASS: But initially, when
30 they were going to cut the dorsal fin, they
31 were going to cut all three.

32 MR. BUKLIS: No, the proponent
33 was saying for trout clip the dorsal fin --

34 MR. ELVSASS: But not the tail.

35 MR. BUKLIS: My analysis suggests
36 shifting to the tail fin like for salmon.

37 MR. LOHSE: Larry, later on we
38 have a proposal in front of us that we
39 haven't handled yet to drop the clipping of
40 the caudal fin for the subsistence-caught

1 salmon. So, if we did that, and I'm not
2 saying we're going to do that, and then we
3 clipped the tail fin for the steelhead, we
4 wouldn't be consistent, because that would
5 be the only one we'd have to do. In that
6 case, the dorsal fin would be just as
adequate. But, anyhow, I was just wondering
whether that was taken into consideration
when the suggestion to clip the caudal fin
was made?

MR. BUKLIS: Mr. Chairman, you're
correct. If Proposal No. 22, I believe it
is, was passed as proposed, then marking of
salmon would not be required anymore, and
then you'd be free in terms of marking of
trout for any fin mark you would have.
Consistency wouldn't be a concern.

MR. LOHSE: Thank you.
The question was whether we
should defer this until we take the other
one, but I don't think it causes any
problem, because one way or the other we're
going to want to mark steelhead and it
really doesn't make any difference whether
it's the caudal fin or dorsal fin if salmon
aren't marked or are marked -- for the
dorsal fin, they don't have the dorsal fin,
they just have a fiberglass mount, and all
they need is a picture. Let's go on to Fish
& Game comments at this point in time.

MR. SWANTON: Mr. Chairman,
Charlie Swanton, Alaska Department of Fish &
Game.

State comments on Proposal
No. 18. We support this. The proposal
would revise regulations pertaining to the
retention of rainbow trout and steelhead.
The current regulation that was adopted into
the Federal regulations was a statewide
regulatory proposal in 1991. It was
unintentionally applied to the Prince
William Sound area subsistence regulations.
Since 1990, the State's Glennallen
Subdistrict subsistence salmon permit has
requested that the harvest of steelhead
trout be reported on the permit; as stated
in the proposal this regulation has not been

1 actively enforced. The State intends to
2 submit a proposal to the Alaska Board of
3 Fisheries, during the next regulatory cycle.
4 That would allow the harvest of steelhead
5 trout in fishwheels and prohibit the
6 retention of steelhead trout in dip nets in
7 both the Chitina and Glennallen
8 Subdistricts. If the proposal for --
9 Federal Subsistence Board adopts Proposal
10 No. 17, the Department suggests that the
11 retention of steelhead by Federally
12 qualified users that use fish wheels in the
13 Chitina Subdistrict should be allowed. The
14 Department notes that also a customary and
15 traditional use finding is needed.

16 Mr. Chairman, one other, if the
17 intent for this proposal is to maintain
18 consistency between State and Federal
19 regulations, on page 127 of your notebook,
20 where it says the support would require
21 removal of both lobes of the caudal fin, and
22 the State regulation as it relates to salmon
23 is just the tips of the lobes, Mr. Chairman.

24 MR. LOHSE: Thank you for that
25 clarification, Charlie.

26 If I understand correctly, that
27 proposal the State's going to be putting in
28 is pretty well a mirror of this except that
29 it will only be the tips of caudal fins,
30 right?

31 MR. SWANTON: That is -- I can't
32 project that that would be the case, but
33 that would be likely.

34 MR. LOHSE: Thank you.

35 Any questions of Charlie?

36 Thank you.

37 Okay. At this point in time, any
38 other agency have a comment on it?
39 Eric?

40

41 MR. VEACH: Eric Veach,
42 Wrangell-St. Elias National Park and
43 Preserve. I just wanted to mention that
44 last week the Wrangell Subsistence Resource
45 Commission met and held a subsistence
46 workshop. It was not actually a formal
47 meeting, so there was no vote taken.

1 Officially, the Commission is still in
2 support of the proposal since they submitted
3 it. One of the opinions that did come out
4 that was discussed was they also felt that
5 if we're going -- if the Board is going to
6 find customary and traditional use for
7 freshwater fish, it would make sense to
8 actually extend this proposal to all
9 freshwater fish that are accidentally
10 captured in a fishwheel. If a burbot is
11 found in a wheel, it would make sense, to
12 keep the burbot, and not return any
13 incidental fish taken in a fishwheel back
14 into the river.

15 MR. LOHSE: Eric, am I correct in
16 assuming from what you just said that at
17 this point in time it's illegal to keep
18 suckers and whitefish and burbot that are
19 caught in a wheel?

20 MR. VEACH: I think -- Larry just
21 told me that it is allowed. Our
22 understanding, at least under the Federal
23 Regulations, since there is no customary and
24 traditional use for fish it would be
25 allowed. I may be incorrect.

MR. BUKLIS: Mr. Chairman, Pat.

MS. PETRIVELLI: I should be an
expert on this, but I think if there hasn't
been a determination, it's all rural
residents. It hadn't been -- it's rural
residents, absent to any specific finding,
it begins with the rural Alaskans.

MR. LOHSE: So, currently, it
is -- it is or it is not illegal to keep
incidental freshwater fish caught in a
fishwheel?

MR. BUKLIS: Mr. Chairman, I
think if you're fishing with your salmon
permit and you incidentally catch other
species of fish, you are allowed to keep
them.

But the problem is that
rainbow/steelhead trout has that language
that speaks to them specifically. It says

1 if you catch them in a net fishery, they may
2 be retained. So fishwheel fisheries are not
3 net fisheries, so they can't be retained.
4 That's the irony of the situation, so we're
5 trying to clarify the regulations. If you
6 catch rainbow/steelhead trout in a fishwheel
7 and they're going to be dead, they should be
8 kept and not wasted. The dip net is a dip
9 net fishery, and that kind of fishery should
10 be required to release the rainbow trout
11 since they have a good chance of survival.

12 MR. LOHSE: Then for my
13 clarification, the reason that this is
14 addressed is because rainbow and steelhead
15 are specifically mentioned in other
16 regulations, and other incidental caught
17 fish not being specifically mentioned are
18 legal to keep. So, in other words, if you
19 get whitefish in your dip wheel or suckers,
20 you legally are allowed to keep them;
21 steelhead at this point in time, because
22 they're mentioned in other regulations, you
23 are not?

24 MR. BUKLIS: That's my
25 understanding, yes.

MR. LOHSE: Does anybody in the
audience have a different understanding on
that?

Thank you.
Okay. Do we have any Fish & Game
Advisory Committee comments on it?
Summary of written public
comments?

MS. WILKINSON: Mr. Chairman, the
only written comment was from Cordova
fishermen -- Cordova District Fishermen
United and again, I'll defer to Sue
Aspelund.

MR. LOHSE: Thank you.
Okay. Public testimony. Do we
have -- I think we have Gloria on this one.

MS. STICKWAN: We support
subsistence users who harvest fish from
fishwheels to keep incidental catch of

1 rainbow trout and steelhead in the Copper
2 River with the reservation that they have to
3 cut off the caudal tail. Those who catch
4 steelhead and rainbow with the dip net
5 should return it. It would be alive.

6 MR. LOHSE: If I understand you,
7 you support the retention of fishwheels,
8 release of dip nets, but you object to
9 cutting off the caudal tail?

10 MS. STICKWAN: Yes.

11 MR. LOHSE: Any questions for
12 Gloria?

13 Is she here? She said that she
14 wanted to testify on Proposal 18. She's not
15 here.

16 Is there any other public
17 testimony?

18 Hearing none, a motion to put
19 this on the table is in order.

20 MR. ELVSASS: I'll make the
21 motion.

22 MS. SWAN: Second.

23 MR. ELVSASS: As written.

24 MR. LOHSE: As written.

25 MS. SWAN: Still second.

MR. LOHSE: Still second.

As written, that's as it was
originally presented, not with staff --

MR. ELVSASS: (Nods head.)

MR. LOHSE: What it says, if you
take rainbow/steelhead, steelhead trout
incidentally in other subsistence net
fisheries, you're to retain them for
subsistence, except when taken by dip net
where they must be immediately released,
unharmd to the water. Rainbow/steelhead
trout caught incidental to other species by
fishwheel may be retained.
Rainbow/steelhead trout retained for
subsistence purposes will have the dorsal

1 fin removed immediately.
Discussion?

2

MR. ELVSASS: Mr. Chairman, as I
3 understand it, Gloria just testified that
they didn't want the caudal fins cut. And
4 if something must be cut, then it's logical
that it should be the dorsal fin. I don't
5 have a strong feeling one way or the other,
but that was the proposal, and I think, you
6 know, that it should be marked as
subsistence fish rather than trophy fishing
7 in some sense, and this is the proper way to
do it.

8 MR. LOHSE: Thank you, Fred.
Again, I think we have to
9 remember the number of fish that we're
dealing with here.

10

MR. ELVSASS: Yeah.

11

MR. LOHSE: From reports, we're
12 dealing with 14 to 115. We're probably
talking close to 15, if I have my
13 information correct.

Larry?

14

MR. BUKLIS: Yes, Mr. Chairman,
15 that is the range, but I'm just asking
perhaps Gloria would want to come back up
16 and clarify. The way I heard her comments,
it wasn't so much that particular fin as the
17 marking of the fish. I don't think she was
preferring one mark over the other. I think
18 she was preferring not to mark.

19 MR. LOHSE: Gloria?

20 MS. STICKWAN: That's true. No
marking on the fish.

21

MR. ELVSASS: Just no markings?

22 MS. STICKWAN: It's not customary
and traditional for us to do that. It's
23 more work for us to do that. So -- and we
think that was primarily geared for the
24 dipnetters, not for fishery users.

25 MR. ELVSASS: At this time, are
the salmon marked?

1

MR. LOHSE: Yes.

2

MR. ELVSASS: It's kind of
ironic, because I know some people in
Anchorage that brought fish in from the
Copper River, and they had no markings.
There was nothing. They were fish; tails
were on; none of the ends were clipped.

I know on the Kenai, they watch
that fairly close, but that's why I just
assumed they caught them and brought them
home. I don't even know if they were aware.
I'm sure they must be aware that they had to
mark them, but for 114 fish, if you have a
fishwheel permit, it's obvious you caught
them in the fishwheel. If you have just a
dip net permit, you shouldn't have them at
all. I don't think the marking is really
going to be that great of an issue.

11

Thank you.

12

MR. LOHSE: Fred, I think part of
the reason for the marking is we have a very
fast-growing sport fishery up in the Upper
Copper, and they are a steelhead from Alaska
and classed as a trophy fish, and
consequently, there -- with the possibility
of subsistence-caught fish being allowed to
be sold, that would be one way that they
could enter the sport fishing market, and I
think that was part of the reason behind
wanting the marking.

17

I see we have somebody with a
hand up there. Wilson, would you like to
come and testify?

19

MR. JUSTIN: Thank you, and good
morning. I just wanted to mention for your
edification, I was glad to hear the
discussion on the marking. We have one of
those individual conflicts between western
management systems and Indian traditions.
It's very difficult for Indians to mutilate
fish in any way, shape, or form. You catch
them, you use them, and you eat them.
That's why you don't have fly fishermen
among Indians. We can't get used to the
idea that it's not playing with fish when
you catch them on a hook and line.

25

1 None of the Elders that I know of
2 mark the fish, and I don't think even under
3 the threat of a fine, I don't think you
4 could make them cut or mark a fish, probably
5 the younger people and the generation after
6 me would get used to the idea and be able to
7 function in that sense, but none of the
8 Elders that I know, around the Copper River
9 would ever be able to get comfortable or
10 accept that practice. I'm glad it's brought
11 out in the open finally, because I think
12 it's very unfair and disrespectful to the
13 Copper River Elders to have a management
14 tool of that sort on the books knowing in
15 advance that they're not capable of reacting
16 to that particular tool.

17 My suggestion is forget about the
18 marking. We've been catching for a good
19 many years now, and I don't think that it
20 makes any real difference in terms of
21 management whether you mark the fish or not.
22 And the only other comment that I have is I
23 don't know the extent of the steelhead
24 trout and rainbows that go up the river. I
25 think somewhere along the line we should
26 determine the extent of those -- those fish.
27 They may go up as far as Mentasta, who
28 knows. As far as I know, they go as far as
29 Batzulnetas, the very late, late run. I
30 thank you for the opportunity to make my
31 remarks. Thank you again.

32 MR. LOHSE: Any questions for
33 Wilson?

34 Thank you.
35 Larry?

36 MR. BUKLIS: Mr. Chairman, just
37 following up on that comment, Doug McBride
38 will be presenting the FIS work later in the
39 day; but I think FIS, Fisheries Information
40 Services, has funded some steelhead research
41 in the Copper River Drainage.

42 MR. LOHSE: Thank you.
43 I see what Wilson is talking
44 about because I can understand that
45 conflict. At the same time I understand the
46 conflict that we're dealing with when we
47 deal with the road system and a lot of

1 people who don't have that kind of ethic
2 like fish that you saw in Anchorage that
3 were unmarked. One of the reasons for
4 marking fish by people who come from other
5 places is that they can come back and catch
6 them again.

7 We have the same problem in
8 Cordova with people sport fishing and
9 catching a limit in the morning, catching a
10 limit in the afternoon. And it would be
11 nice -- it would be nice if we lived in a
12 world that all had the same ethics as some
13 of our Elders, but we don't live in that
14 kind of world anymore. And I know that the
15 enforcement on it has not been very
16 consistent simply because it's one of those
17 issues that politically you can't enforce it
18 on everybody and so you don't enforce it on
19 anybody.

20 But, it is something that we have
21 to recognize that it's a possibility that
22 we'll need those kind of tools to deal with
23 the kind -- the amount of people and the
24 pressure that we have on it. It's up to the
25 Council to decide what to do on something
like that.

It reminds me of a story, but I
won't tell it right now.

(Laughter.)

MR. JOHN: Go ahead.

MR. LOHSE: Anyhow, any further
discussion on this?

MS. SWAN: Mr. Chairman, I just
thank -- thank you, Wilson, for that
information, but I just wanted to say that
down on the Kenai, the removal of the tail
lobes is very rigorously enforced and
there's good reason for it; but in our
tribe, the Elders, a lot of the Elders were
furious with us and so -- and I have -- my
aunt lives with me, and she thought we were
being disrespectful because we didn't mark
the fish -- because we marked the fish, and
she said you know you can't waste any of the
parts. So, what we did was recognizing that
you have to have this tool, we just saved

1 the tail lobes and brought them home and let
the Elders boil them and cook them. That
2 sort of -- we still got called out for it,
but we weren't wasteful, so I understand
3 that that's really something that we should
consider. However, in view of all the
4 other -- the immigrants, I think we need the
tool.

5 Thank you.

6
MR. LOHSE: Any other discussions
7 or recommendations?

8 MR. ELVSASS: I'd like to hear
from Council Members what they would prefer
9 cutting, the dorsal fin or the tail fin.

If we're going to cut them, we're
10 only talking about very few fish. Salmon
right now, you have to do. So, if we're
11 going to talk about cutting the tail fin,
then we need to amend this. Otherwise it
12 would just be the dorsal fin.

13 MR. JOHN: Mr. Chairman --

14 MR. LOHSE: Fred?

15 MR. JOHN: What the proposal says
right now, cut the dorsal fin, not the tail
16 fin.

17 MR. JOHN: What Wilson brought
up, I agree with that with the Elders. I
18 think this regulation should come in effect,
because I don't think we have that much law
19 enforcement in that area yet, but eventually
with all the fishermen coming in, you know,
20 I think it would be a little bit good, you
know.

21 I don't know. I never cut my
tail fin myself before either, never cut it.
22 Never thought about it.

23 (Laughter.)

24
MR. LOHSE: The problem, that we
25 don't realize is that all of us are getting
close to being Elders, and it's possible --

1

MR. ELVSASS: Close?

2

MR. LOHSE: It's possible before
they have enforcement on it we'll be gone.

4

(Laughter.)

5

MR. LOHSE: I know that -- I know
the reasoning behind it. I can understand
the problems that causes -- I do think that,
you know, for certain parts of the
fisheries, it's a tool that's needed. I
guess I would hope that -- I would hope some
wisdom and discretion was applied in
applying it.

9

I'll tell you the story.

10

(Laughter.)

11

MR. LOHSE: Two years ago -- some
of you know that I have a charter license,
and two years ago the Coast Guard came down
to check for enforcement with all the
regulations on charter licenses. One of the
things, you have to have a random drug test
and you have to have all the rest of the
stuff. So we have this -- have this old man
in Cordova in his 80s that was running a
charter business. He didn't have any of the
licenses. He didn't have any of the drug
permits and everything else. A little Coast
Guard went around and she ticketed all us
young people that didn't have everything in
order. Some of us did have everything in
order. I did, thank goodness. She got to
him and he basically told her, "I was
chartering before you were ever born, and
I'll be -- if I'm going to comply to any of
these regulations."

21

What do you do? You take an
80-year- old person to court and throw him
in jail? No, you just try to get them to do
the things for safety purposes, and you know
that he's not going to cause any problem and
one of these days he's not going to be there
chartering anymore. That's exactly what
happened.

25

And I think that, you know,
sometimes we have to apply that kind of

1 wisdom. It's awful hard to change an
2 80-year-old man that's been taking people
3 out fishing, for, you know, 50 years and
4 tell him that, no, you can't do that because
5 you don't have the right license anymore.

6 But it's not hard to tell a 40-
7 or 50-year-old that you better get the right
8 license or you're going to spend ten years
9 in jail.

10 I think that's the kind of thing
11 that I hope our enforcement has that kind of
12 discretion or that kind of wisdom. But for
13 us younger ones and for the ones that are
14 coming after, like, Wilson said, and for the
15 mass of other people that are coming in and
16 using the resource, sometimes these tools
17 are needed. And I'm afraid myself, as much
18 as I can understand the Elders not wanting
19 to do it, and I don't expect them to do it,
20 I have to support having them marked,
21 because I know -- I know the -- I know the
22 mentality of some of the guides and some of
23 the people that come in sport fishing that
24 would be very willing to take advantage of
25 it. And from that standpoint, I won't
support it if there's no marking on it.

MR. EWAN: Mr. Chairman?

MR. LOHSE: Roy?

MR. EWAN: I'm pretty familiar
with taking tail fins, cutting of the tails
off of salmon in the Copper River. It's not
an easy job. If somebody did say it's
difficult for the Elders, I really believe
that. I really truly believe that it's a
hardship on them. And if you're talking
about, whatever species you're talking about
here, trout or rainbow, there's so few
caught, it wouldn't matter. I don't think
it's necessary to make it hard for people
that accidentally catch either steelhead or
other species that are not normally caught
in the river, the Copper River. And the
fishwheel, I don't like the idea of --
especially if you have a dull knife, no
chopping block or something to use at the
time. And for an Elder, it's a hard job for
that person.

1 I don't care to do this, but I'll
2 have to go along with the majority and if
3 it's necessary to cut the tail fins or
4 whatever fin. It has to be cut, I'll go
5 along with that. I don't think it's good
6 for the Elders, not good for me, I know
7 that. I don't want to do it.

8 MR. LOHSE: I agree with you Roy.
9 It's a hard job to do if you've got no knife
10 and no chopping block. What I found to work
11 better for me is scissors. I try packing
12 scissors. It works much better than trying
13 to use a knife. But that's not recommending
14 that everybody carries scissors with them
15 either.

16 MR. ELVSASS: You can't get on
17 the airplane with scissors.

18 (Laughter.)

19 MR. LOHSE: Okay. Any other
20 discussion on this proposal?
21 For the proposal in general, we
22 seem to have good support from all parties
23 involved. It's just the question of whether
24 or not you want to support the marking
25 that's written in the proposal or not.
Nothing further?

MR. ELVSASS: Roy, at your
fishwheel, which would you prefer, the
dorsal fins or the tail fins?

MR. EWAN: Most likely a tail
fin. Maybe it would be easier to do the
dorsal fin, I don't know. Myself, I use a
block. I do have a block; use a little
knife for the salmon.

MR. ELVSASS: For the dorsal fin,
you'd have to hold the fish and cut the fin
off with the knife.

MR. EWAN: That would be easier
for some people.

MR. ELVSASS: If somebody wanted
that, they could still save the fin. The

1 dorsal fin is a rich piece of fish when you
boil it.

2
MR. LOHSE: If nobody is going to
3 offer an amendment, then the question is in
order.

4
MR. ELVSASS: Question.

5
MR. LOHSE: Question has been
6 called.

All in favor of the proposal,
7 signify by saying "aye."

8
COUNCIL MEMBERS: Aye.

9
MR. LOHSE: All opposed, signify
by saying "nay."

10
Proposal carries.
Okay. Let's take a break.

11
(Break.)

12
MR. LOHSE: We'll call this
13 meeting of the Southcentral Regional
Advisory Council to order. We'll go to
14 Proposal 21.

15
MR. BUKLIS: Thank you, Mr.
Chairman, the staff draft analysis for
16 Proposal 21 will be found on page 142 in the
council book, page 142.

17
Mr. Chairman, our prior
discussion covered the marking of the
18 rainbow/steelhead trout and I said we'd be
covering the marking of salmon. I said it
19 was Proposal 22. It's proposal 21. This
proposal for the Upper Copper River
20 District, was submitted by the CRNA. The
proposal requests that removal of both lobes
21 of caudal or tail fin from
subsistence-caught salmon no longer be
22 required. The current requirement is seen
as a burden, unnecessary, and not something
23 that was customarily and traditionally done.
The initial proposal, as submitted, would
24 have retained the requirement for the
removal of both lobes of the caudal fin from
25 subsistence-caught salmon, but only for
those fish taken by fishers from urban

1 areas, who are primarily dip net fishers.
2 The proponent claims that continuation of
3 the requirement for this urban user group to
4 mark salmon by removal of the caudal fin
5 will help to enforce harvest limits.

6 Since nonrural users are not
7 qualified to fish under Federal subsistence
8 fishing regulations, the urban user aspect
9 of the proposal cannot be incorporated into
10 the Federal Regulations. That would be a
11 matter for the State Regulatory Process.

12 The requirement to remove both
13 lobes of the caudal fin was incorporated
14 from existing State regulations beginning
15 October, 1999 in the Federal Regulations.

16 Marking of subsistence-caught
17 salmon by removal of a specified fin is
18 required in the Federal Regulations for
19 other areas as well, such as Yakutat,
20 Southeast Alaska, coho salmon in the Togiak
21 District of Bristol Bay, and chinook salmon
22 in the lower Yukon River.

23 Being required to remove both
24 lobes of the caudal fin from
25 subsistence-caught salmon may be perceived
negatively by subsistence fishers. However
it protects and promotes current subsistence
harvests by assisting in the enforcement of
regulations regarding sale of
subsistence-caught fish and it helps in the
regulation and the separation of subsistence
harvest limits from sport fish bag limits.

Discontinuation of the requirement in
Federal regulations would compromise
enforcement of State regulations, which is
already an area of concern for the
proponent.

Road system access to the Upper
Copper River District allows ready transport
of fish to markets which this regulation
would continue -- with this regulation
continues to protect against. The analysis
recommends to oppose the proposal.

MR. LOHSE: Thank you, Larry.
Any questions from Council?

Larry, just out of curiosity,
this is just an idea on my part. Would
there be any advantage to be able to tell
Federal subsistence-caught fish from State

1 subsistence-caught fish or fish caught under
2 a Federal permit and fish caught under a
3 State permit, or do we interchange those two
4 permits in the Upper Copper District? I was
5 just thinking if there could be a variation,
6 not an unmarked, but a variation in marks
7 like only one lobe for Federal caught fish,
8 two lobes for State-caught fish. Would
9 there be any advantage to that, that you
10 could see?

11 MR. BUKLIS: Mr. Chairman, one
12 advantage might be if the Chitina
13 Subdistrict Fishery takes shape as has been
14 proposed, there would be different limits in
15 that place for Federal and State users, and
16 so if fish were required and, in fact,
17 marked differently, that would indicate what
18 catch limit you're operating under.
19 However, changing the mark
20 requirement and having two different sets of
21 mark requirements out on the river might
22 contribute to confusion. So, I don't know
23 how to balance those two factors.

24 MR. LOHSE: Thank you, Larry.
25 Any other questions for Larry?
Alaska Department of Fish & Game.

1 MR. SWANTON: Mr. Chairman, for
2 the record, Charlie Swanton, Alaska
3 Department of Fish & Game, Proposal 21. The
4 State does not support this proposal. The
5 proposal seeks to eliminate the requirement,
6 Federal requirement on subsistence in the
7 Federal River. This is presently a
8 requirement in both State and Federal
9 subsistence regulations for the Copper River
10 and it is in place for sale of subsistence
11 fish. The rule is not popular locally and
12 the level of compliance with it is
13 uncertain. As written, the proposal
14 addresses rules governing subsistence
15 fishing by non-Federally qualified fishers
16 which is outside the jurisdiction of the
17 Federal Subsistence Board. The regulation
18 could be modified to no longer require
19 removing all of the fin, but it cannot
20 stipulate a requirement for those dipnetters
21 from urban areas.

1 Adoption of this proposal would
2 result in different rules for rural and
3 nonrural subsistence fishers, all of whom
4 are required to obtain State permits. It
5 would create substantial enforcement
6 problems and I would like to reiterate what
7 Larry talked about in terms of the added
8 time as it relates to commercial enterprise
9 and the sale or the allowable sale of
10 Federally caught fish as opposed to the
11 State system which prohibits this activity,
12 Mr. Chairman.

13 MR. LOHSE: Thank you, Charlie.
14 Any questions for Charlie?
15 Charlie, could you repeat that
16 last part?

17 MR. SWANTON: I would just like
18 to reiterate that we do have concerns with
19 regards to the movement afoot with regard to
20 defining commercial enterprise, and I don't
21 know where this particular issue is with
22 regards to the Federal staff discussions and
23 input from the Federally qualified users and
24 RACs and everything else.

25 However, under the State system,
you know, the sale of subsistence-caught
fish is not allowed. Under the Federal
system, it would be allowed. It's my
understanding.

 Therein lies the problem with
regards to marking and as you reiterated
numerous times, and I appreciate your
efforts in that regard, enforcement is also
going to become an issue here.

 MR. LOHSE: Thank you, Charlie.
Larry?

 MR. BUKLIS: Mr. Chairman, there
are others here who are more expert in this
in terms of the customary trade issue, but
my understanding is that on the Federal
side, Charlie is right that customary trade
allowances do allow for sale of fish on the
Federal side, but that is not including --
that will not include sale to commercial
fish processing plants for the commercial
fisheries industry.

1

MR. LOHSE: Charlie?

2

MR. SWANTON: I think that the concern is more -- and I know that I've heard it voiced by numerous people, I think yourself included, as it relates to this particular area is well connected on the road system. There is more than ample opportunities that could arise, and I don't think that we've even broached the bare surface, the opportunities given the human mind can concoct with regard to this issue.

8

MR. LOHSE: Charlie, I think you're right on that extent. In fact, we were discussing that over the closure, and it's not even a case that will arise. It's what has arisen.

10

It's -- it's like I've said before, the need for the tool to be able to tell -- to at least have something in place. I feel it's very important, but that's up to the rest of the Council also.

13

But there are -- the opportunity -- because of our road system for misuse of the resource is pretty great.

14

And we're seeing that in other

15

parts of the state as well. And I know that it is a regulation. It's a regulation we have down in Cordova that you have to remove the caudal fin on subsistence-caught fish.

17

Fred was talking over the closure about down where he is on the Kenai. It's a regulation, and that way no processor will have a fish in their processing plant. They won't take the chance of having a fish in their processing plant that's missing a caudal fin on a fish because it's illegal for them and they can lose their license.

21

If the fish are unmarked, they can show up in our processing plants and nobody would be any wiser.

22

I think that's what you were

23

getting at right there.

24

Thank you.

25

Do we have any other agency comments? Eric, do you have something on this?

1
2 MR. VEACH: Mr. Chairman, Eric
3 Veach, Wrangell-St. Elias National Park.
4 Again, I'd just like to share some of the
5 public comments that were presented at the
6 subsistence resource public workshop, as I
7 do that I would also like to mention I
8 worked with Larry and his analysis.
9 Certainly my staff recommendation is the
10 same as Larry's, but I think it's fair to
11 share some of these fellow comments as well.
12 One person had mentioned that it
13 was unlikely that subsistence users would
14 attempt to sell a fish, the real subsistence
15 users focus on feeding the families and they
16 wouldn't be interested in trying to fish.
17 Ray Sensemeyer, the chairman, also mentioned
18 as I believe Roy mentioned earlier, it's
19 disrespectful to mutilate the fish.
20 And also there was kind of
21 general sentiment among several folks there
22 that it is a considerable burden on the
23 users to have to remove the lobes from the
24 fish, particularly if they're dip netting.
25 You can't get yourself in position in the
river to remove the fish, would you have to
remove the fish immediately, climbing back
on the bank, and potentially the fish has
fished moved upstream and you've kind of
missed your opportunity to catch fish.
The Federal regulation is a
little more restrictive than the State
regulation. The State requires you to
remove the tips of the fish; the Federal is
the lobes. If you're removing the fish for
drying, potentially going with the State
regulation to remove the tips of the lobes
would be actually less of a burden to the
users.

21 MR. LOHSE: Am I understanding
22 right, that currently under the Federal
regulation you have to remove the tail fin?

23 MR. VEACH: Both lobes. If you
24 have the work, it's the piece above the
fork.

25 MR. LOHSE: So there's no handle
left?

1 MR. VEACH: Right. That's a good
2 way to describe it.

3 MR. LOHSE: But the State, you
4 just have to take the tips off?

5 MR. VEACH: Correct.
6 Are there any Fish & Game
7 Advisory Committees that wish to testify?

8 MR. EWAN: Mr. Chairman, I didn't
9 quite understand the difference in removal
10 of the fin, the Federal and the State. I
11 know the State requirement, but -- Federal I
12 didn't understand.

13 MR. LOHSE: Basically --
14 basically, under Federal law, you have to
15 cut back like this (indicating) and take the
16 whole -- take the whole caudal fin off like
17 that, the whole lobe of the caudal fin off.
18 Under State law all you have to do is cut
19 the tips like this (indicating).

20 MR. EWAN: Okay.

21 MR. LOHSE: Thank you. I didn't
22 realize that myself, that there was a
23 difference on that. I doubt if anybody
24 would have ever -- if the tips were cut off,
25 I doubt anybody would ever say anything
about the fact you didn't cut the whole fin
off.

Okay. We have written public
comments?

MS. WILKINSON: Yes,
Mr. Chairman. There were two. One of them
is from CDFU and Sue will give that.

And the other was from Don Harbor
in Delta Junction who stated that he opposes
this proposal. If clipping the caudal fins
prevents overharvest by dipnetters, it's
only logical to assume it would have the
same effect for fishwheel operators.

MR. LOHSE: Okay. That's all the
written comments?

1 MS. WILKINSON: (Nods head.)

2 MR. LOHSE: Thank you, Ann. With
3 that, I only have public comments. I only
4 have two down here. If I miss somebody and
5 you intended to comment on this, let me
6 know. I'm looking through the things. I've
7 got Sue and Gloria down. Sue doesn't need
8 to comment.

9 Okay. Gloria?

10 MS. STICKWAN: We don't support
11 cutting off the caudal tail, we don't want
12 to do that. I think only dipnetters should
13 have to comply with that regulation because
14 it was written for them. We think they're
15 the only ones who should have to do that and
16 comply with that regulation, not qualified
17 subsistence users.

18 MR. LOHSE: Any questions for
19 Gloria?

20 Gloria, I've got a question.
21 Some of the fishwheel users on the Upper
22 Copper aren't -- aren't local people; and,
23 you know, we saw yesterday that there was
24 basically an average of almost 600 -- 600
25 fishwheel permits. Do you -- do you feel or
do you have any feeling that some of the
fish that are taken from that are sold
illegally and that clipping the caudal fin
might be one way of keeping track of where
those fish go?

MS. STICKWAN: Those people would
be people from Anchorage. They wouldn't be
qualified subsistence users.

MR. LOHSE: So, all the
fishwheels are not Federally qualified
subsistence users. This proposal only
applies to Federally qualified subsistence
users?

MS. STICKWAN: Yes.

MR. LOHSE: Thank you. Any other
questions of Gloria?

Thank you.
Any other public testimony?

1 Okay. Then, in that case, a
2 motion --

3 A SPEAKER: Sir. Am I wrong,
4 you're asking for public testimony?

5 MS. WILKINSON: This is
6 Mr. Bower. He needs to testify to Proposal
7 11 after they finish this proposal.

8 MR. BOWER: I don't want to be
9 left out. I've waited for you guys, and I
10 definitely don't want to be left out.

11 MR. LOHSE: Okay.
12 Okay. With that, a motion to put
13 this proposal on the table either as staff
14 recommends or as it's written is in order.

15 A SPEAKER: I make a motion we
16 put this proposal as written.

17 MR. LOHSE: As written.
18 Okay. Do I hear a second?

19 MS. SWAN: Second.

20 MR. LOHSE: It's been moved and
21 seconded to put this proposal on the table
22 as written.

23 It's open for discussion.
24 Fred?

25 MR. JOHN: I support this, but
26 then I still have, you know, concern about
27 fish getting caught -- I kind of like
28 your -- what you said earlier about having
29 just one tail fin cut, to tell between the
30 Federal, you know, salmon and State salmon.
31 But I, myself personally, I think there's a
32 way we could, you know, do this without, you
33 know, having too much from the Elders and
34 stuff.

35 And then another one is that we
36 have, you know, like barter and trading.
37 You could tell the difference between a
38 State-caught salmon and a Federally-caught
39 salmon. That's my concern.

40 MR. LOHSE: That's kind of one of

1 the things I was thinking of too on that,
2 Fred, is that you would be able to tell the
3 difference between a State subsistence
4 salmon and a Federal subsistence salmon, one
5 of which can be traded and one of which
6 can't.

7 MR. JOHN: Mr. Chair, I'd like to
8 ask Gloria again what she thinks of this,
9 since she's -- she --

10 MR. LOHSE: Just the tip off of
11 one.

12 Gloria, Fred would like to ask
13 you a question.

14 MR. JOHN: Gloria, what I want to
15 ask is what you think about just having,
16 like we're talking about, to distinguish
17 between the two, State caught and Federally
18 caught, about choosing one tail fin cut
19 Federally or the other way?

20 MS. SWAN: By the fin, you're
21 talking about just cutting the edge off?

22 MR. LOHSE: Cutting the tip off
23 of one tail fin instead of cutting the tip
24 off of both of them. That way you can tell
25 a Federal subsistence-caught fish from a
26 State subsistence-caught fish. Not cut the
27 whole tail fin, just the tip.

28 MS. SWAN: It still would be a
29 hardship for our people, at least -- I don't
30 know. It would still be hard to cut through
31 that piece, but I guess -- we could do that.

32 MR. LOHSE: You could do that?
33 It would only be half as hard, because you
34 don't have to cut --

35 MS. SWAN: Also, too, the other
36 parts of the fins of the fish.

37 MR. LOHSE: You mean the
38 different fish?

39 MS. SWAN: Yeah, the top would be
40 smaller, the top fins.

1

MR. LOHSE: The dorsal fin?

2

MS. SWAN: I don't know what they're called.

4

MR. LOHSE: The dorsal fin is the big fin on the back. The other fin is that little soft fin that's on the tail.

5

MS. SWAN: Why couldn't we cut that off? That would be easy.

7

MR. LOHSE: They mark a lot of hatchery fish by marking that. A lot of fish come with that already cut off. That and the pectoral fins, the ones that are in the front are used by the hatchery to mark the fin.

10

MS. SWAN: The fin on the bottom, when we make dry fish, we cut that off.

12

MR. LOHSE: The ventral fin --

13

MS. SWAN: This one down here. Customary and traditional, and we always cut this part off (indicating).

15

MR. LOHSE: You do?

16

MS. SWAN: We do. My mom always told me to cut that off. Whenever we cut fish, we were always told to cut that off.

18

MR. LOHSE: That's funny, because that's the first one I cut off.

19

MS. SWAN: That would be a distinction.

21

MR. LOHSE: Would that be much more acceptable?

22

MS. SWAN: That would be a distinction between Federal and State fish. We always do that.

24

MR. LOHSE: Thank you. I'd like to call Charlie back up if I could and ask

25

1 him the question. I'll put him on the spot.
2 She's talking about the one by
3 the belly. The one back by the tail, the
4 one underneath.

5 MR. EWAN: I want to be sure
6 we're talking about it. I want to know what
7 that's called.

8 MR. LOHSE: That's called the
9 ventral. The ventral.

10 MR. JOHN: Which one is that
11 again? I'd like to see it.

12 MR. SWANTON: It was a joke. I
13 said, the book that Larry is bringing
14 around -- I just wanted it noted that it's a
15 State sport fishing regulation book. That
16 has the pictures.

17 (Laughter.)

18 MR. SWANTON: That might have
19 something to do with why we have to put
20 pictures for the sport fishermen for those
21 guys to understand what we're talking about.

22 (Laughter.)

23 MR. LOHSE: Charlie, with what
24 we've been talking about, if the ventral fin
25 would be more culturally acceptable, would
that be an acceptable marking, or is that
one that gets removed so commonly that it
wouldn't be an acceptable marking?

MR. SWANTON: To tell you the
honest truth, I don't recall -- I'm not
saying that my knowledge with regards to --
you know, marking fish is all-encompassing.
I don't recall the ventral fin being removed
in any other regulations. I know for the
marking we do relative to the population
assessment work that a ventral fin is not a
fin that we mark. It would be a distinct
mark.

I think -- because I was just,
you know, putting my sinister hat on trying
to figure out how somebody wanting to, I

1 guess, find the gray area here, this would
2 be a distinct mark as opposed to if you only
3 had to clip one lobe of the dorsal fin. I
4 could see where somebody could use that,
5 only clip one lobe of the fin, use this
6 regulation, say, well, I'm confused here. I
7 clipped one lobe, say in the State -- say in
8 the dip net fishery, and try and circumvent
9 the whole process in that fashion. But I
10 think that the ventral fin would be a
11 distinct mark.

12 MR. LOHSE: There's another
13 advantage to the ventral fin is you can
14 remove that much easier, because you hold
15 the fish by the tail you take a knife and
16 the ventral fin comes off. Take the tail
17 fin off, like Roy has testified, you've got
18 to lay it down on something and chop or
19 you've got to use the scissors. That would
20 be one way to distinguish between
21 Federally-caught subsistence fish and it
22 would be a mark that would be culturally
23 acceptable.

24 Do we see any problems with it?
25 I mean off the top of your head. I'm
26 putting you on the spot, and you don't know
27 all of the answers, but can you see any
28 problems with that?

29 MR. SWANTON: I have to respond
30 and say on the surface, no.

31 MR. LOHSE: Thank you.
32 Did she have any problems with
33 it?

34 (Laughter.)

35 MR. SWANTON: My brain, I might
36 add. It's a woman.

37 MR. LOHSE: That's for most of
38 us.

39 MR. SWANTON: Anybody that denies
40 that has probably got some other problems as
41 well.

42 (Laughter.)

1 MR. SWANTON: Some people freeze
2 the fish in the round as it gets to the
3 chinook salmon. I don't know how that might
4 fit into it. On the surface, I don't really
5 see much problem.

6 MR. LOHSE: Thank you.
7 Gloria, do you have something to
8 add?

9 MS. STICKWAN: Cut off the
10 ventral --

11 MR. LOHSE: It would be for all
12 salmon caught by the Federal subsistence
13 users.

14 MR. LOHSE: If we don't see a
15 problem with it, that may be an answer --
16 maybe that's what was needed to be done a
17 long time ago is to look at what would be
18 culturally acceptable instead of trying
19 to -- I'm not saying that we goofed in the
20 past, but we've done that kind of thing in
21 the past where instead of consulting we
22 applied. I don't see any problem, and I
23 know, my own experience, it's a lot easier
24 to remove a ventral fin than it is to remove
25 a caudal fin, because a ventral fin, you can
26 hold onto the fish to remove the ventral
27 from the fish. You can't hold onto the fish
28 and remove a caudal fin. You've got to set
29 it down and do that, unless you use the
30 scissors.

31 Okay. Any other questions for
32 Charlie?

33 Larry, you've got something you'd
34 like to add?

35 MR. BUKLIS: Mr. Chairman, the
36 common way of talking about that fine we've
37 shown in the picture is the ventral fin, but
38 anatomically it's called an anal fin as
39 well. If on the river it's known as a
40 ventral fin, we may need to put both terms
41 in the regulations.

42 MR. EWAN: That's why I asked the
43 name of it. That's what I knew it by.

1 MR. LOHSE: You knew it as anal
2 fin?

3 MR. BUKLIS: Other people may
4 know it as the ventral fin. We'll work on
5 that so it's clear.

6 MR. LOHSE: You cannot only name
7 it, but you can describe its position in the
8 back of the vent, underneath the fish, in
9 back of the vent, in front of the tail.

10 MR. BUKLIS: We understand your
11 intent. We'll cover that.

12 MR. LOHSE: Charlie?

13 MR. SWANTON: Mr. Chairman, I
14 might add that depending on how things go
15 with regards to the permits and everything
16 else, what we've done with regards to tail
17 clipping with the dip net permits is we've
18 actually described it in words as well as
19 put a picture of what fin needs to be
20 clipped. So for what it's worth --

21 MR. LOHSE: I'm sure we'll do the
22 same thing.
23 Okay.
24 Fred?

25 MR. ELVSASS: Excuse me, just
26 wondering, on the Federal Fishery, if we
27 could have it either/or, one of the tail
28 fins, top or bottom, or the ventral fin. Is
29 that -- would that cause management
30 problems, because, you know, some people
31 that want to freeze the fish in the round, I
32 do that myself, I don't want to cut the fish
33 at all. I want to freeze it whole and
34 butcher it later. It preserves much better.

35 But in turn, if people want to
36 use the tails and backbones to dry, our
37 custom is to take the tip of the tail, bend
38 it over a line, clothesline, or whatever,
39 pin it there and it dries very well. And
40 you don't have any of the meat of the fish
41 then touching the line and so forth where
42 moisture could spoil it.

1 So, in looking at this, instead
2 of cutting both the tail fins, cut one of
3 them, or the ventral fin. Would that be a
4 management problem or -- you know, it's
5 difficult when you look at 50 fish in a bin
6 or in the back of a pickup.

7 But, in turn, I guess, it's
8 difficult anyway. You have to look at each
9 fish separately.

10 What do you guys think too?
11 I'm specifically asking just as
12 an idea.

13 MR. LOHSE: Larry, did you have
14 some comment on that?

15 MR. BUKLIS: Mr. Chairman, in
16 terms of the management implication, I think
17 it would contribute to confusion. Secondly,
18 the more I think about only having one lobe
19 of the tail fin clipped, I think the problem
20 with that as a distinguishing feature from
21 the State side is we would be actively
22 wanting people to only mark one. It's not
23 kind of one or more. So, I mean, some
24 people might want to go ahead and continue
25 to mark both lobes when the regulation is
26 you need to only mark one. And, in fact, we
27 want you to stop at that point. Otherwise,
28 you're not going to distinguish your fish,
29 you might fall back to the custom of both
30 lobes as currently required. You might get
31 them to mark just the one and stop there as
32 a distinguishing feature, which is what
33 you're after with that request.

34 And then if you give them the
35 allowance to mark the ventral fin or only
36 one lobe of the tail fin, I think you have
37 the confusion factor.

38 MR. ELVSASS: Thank you.

39 MR. LOHSE: Charlie?
40 Well, did I see you lean forward
41 to say something, or did Larry pretty well
42 say it?

43 MR. SWANTON: I think I probably
44 would concur with what Larry said. The only
45 thing, I did have one thought. I think it

1 would be beneficial to remove the whole
2 ventral fin if that's what you guys are
3 contemplating, depending upon where the fish
4 is in terms of its migratory development.
5 You did tend to find some abrasion of the
6 ventral fin because that's a fin that's
7 largely in the gravel, and so that -- I
8 think that it would probably be beneficial
9 to remove the entire ventral fin. I mean,
10 somewhere at the base of the body, as
11 opposed to just clipping a section of it.

12 MR. LOHSE: I think that was the
13 intention from Gloria's description, because
14 I think what she's doing with the ventral
15 fins is the same thing that I do, and
16 basically taking a knife and cutting it
17 right off. Am I correct, Gloria?

18 MS. STICKWAN: Yes.

19 MR. LOHSE: I'd say removing the
20 ventral fin, not clipping it. That doesn't
21 open the fish up enough to worry about
22 freezing it in the ground.

23 Roy, did I see you have
24 something? You started to lean forward
25 before.

MR. EWAN: Yes, Mr. Chairman, I
kind of go along with what Fred said about
wanting to keep the salmon whole. I like
the idea of an option. Whether that's
possible or not, I don't know. I'm trying
to figure out in my mind why there would be
an objection to having that option, either
doing the tail fin or the ventral. I like
that idea because I also like to keep it
whole when I'm freezing it.

And then, you know, if you're
away from the river, to the house, like I
am -- I'm six miles away from my fishwheel,
maybe more, and there's a possibility flies
will get into that area if you've got an
open pickup. I don't like that idea. If
you're going to freeze it, you know. Flies
get onto it.

I don't know. That's all.

MS. SWAN: Mr. Chairman?

1

MR. LOHSE: Yes, Clare.

2

3

MS. SWAN: I am particularly worried about enforcement, and I think that certainly it doesn't matter to me where you -- how everybody wants to mark the fish, but the thing is, it will be very confusing. The other thing that I know, and I guess we all know, people will do whatever they want anyway if they think nobody is looking. But as far as the -- just, you know, the nitty-gritty on the ground, so to speak, getting of the fish, so if you're down there dip netting and you get six fish, you have to bring your net up, cut your fish and go back down, and then maybe some fish swam by while you were on the riverbank cutting your fish, so -- I mean, that's not a problem, it's part of fishing. It's not going to be that easy.

12

I'm going to speak as an Elder just to get to the end of this tale. I think we talked culturally about disrespecting the fish when we do anything to it or whack its tail off or whatever before we brought it up to eat. Well, I think that -- that we have to do an adaptation here, and I think if you want to save the pieces for those Elders who wish to eat them or anyone, that's fine. But there's also when you say it's really hard to cut a fish, cut the tails off or remove the ventral fin, well, if you're an Elder, part of the culture says you get somebody to help you or do it for you. That's a real thing, you know. And for me it's easier to whack off the tail lobes because you just get -- you can buy -- you really need pruning shears, only this long, big handles and a spring, all you've got to do is whackity whack. It's done. It's harder for me as an Elder to cut an anal fin because you have to hold it to do it.

23

We're going to get down to the nitty-gritty. I'm really concerned about enforcement and confusion, what the enforcement will be.

25

Impossible, and we need to do

1 that.

Thank you.

2

MR. LOHSE: Thank you, Clare.

3 I'm going to speak as an almost Elder. I'm
not quite there yet. I've got another year.

4 But I agree with you 100 percent.

5 One of the advantages of becoming an Elder
or an almost Elder is the fact that you
normally have younger people around and you
6 can come home and you can say, "we're not
going to go deer hunting again until those
7 deer are skinned. Would you boys skin them
before supper" or something to that effect.

8 That's one way that you teach the younger
generation how to do those kind of things.

9 And I know good and well that if I was
operating a fishwheel and there was tail
10 fins that had to be clipped, it wouldn't be
me that clipped them. One of the boys would
11 be doing it.

12 (Laughter.)

13 MR. LOHSE: From that standpoint,
I think you're right, Clare. Part of this
14 is an exchange of culture and explaining to
the younger folks to do things. If there's
15 a job that we don't like to do or it's too
hard for us to do, we can ask them to do it
16 and teach them something too.

I'm afraid of confusion too. I
17 think it should be one way or the other. I
don't have any problem with the people of
18 the Copper Basin clipping the ventral fin --
is more acceptable. I don't see any problem
19 in clipping the ventral fin. If clipping
the tail fin is -- can be done in the easier
20 manner, people have adapted to it in other
places, that's okay. I do really feel that
21 something needs to be marked, and I'll just
let it go at that and I'll let the Council
22 come up with an amendment to this proposal
to mirror what they would like to see done.

23 I do think that having two
options to do it adds a lot to the
24 confusion. I mean, I think that it should
be one way or the other so that -- so we
25 have -- so we have just that much less
chance of making mistakes and that much less

1 chance of somebody wondering what they
should do.

2 And so, Roy or Fred or one of you
guys, if you want to leave it as it is, you
3 can leave it as it is. We can vote on it or
we can add an amendment to do it the way
4 that it's more acceptable to people in the
Copper Basin.

5 MR. EWAN: Mr. Chairman, I just
6 want to say that I would like to make it
easier on the users of subsistence even if
7 it's a burden on the enforcement people. In
my opinion, there is not that many people,
8 agency people, coming out to check to see if
we did this or that. I have fished for
9 years now and have not had anybody come to
check to see if the tail has been off yet.
10 So, I don't think they've done it to anybody
I know. But we have to do it anyway. I
11 don't see any hardship on them because they
haven't done anything to check it anyway.

12 (Laughter.)

13 MR. EWAN: I don't think it's
14 that difficult to have that option myself
just in my own mind. I'm thinking that why
15 not help the Elders that have traditionally
gotten rid of that, that ventral fin anyway
16 to process the fish in our area that's a
pretty common thing that you take the
17 ventral fin off to dry the salmon.

But Gloria was talking about, and
18 they used to do it, you grab it by the tail
and whack it off. It's very easy. It's not
19 the custom doing it that way. That's why I
was saying that we should consider an
20 option. I do not think that it would be
very difficult just looking at the salmon to
21 see if -- one of the fins were whacked off,
one or the other.

22 MR. LOHSE: Would you like to
23 make an amendment to that effect?

24 MR. EWAN: Yes, I move.

25 MR. LOHSE: You move that we
amend this --

1
2 MR. EWAN: And let the Federal
Board deal with it.

3 MR. LOHSE: Okay. You move to
4 amend this to allow Federally qualified
subsistence users to remove either one lobe
of the caudal fin or the ventral fin?
5

6 MR. EWAN: Yes.

7 MR. LOHSE: Does that sound
proper?

8 MR. EWAN: That's good enough for
me.

9 MR. LOHSE: And we'll remove one
10 lobe of the caudal fin so it's a definite
mark.

11 MR. EWAN: I'm not really stuck
12 on one or two.

13 MR. LOHSE: Yeah.
14 Does that -- that's your proposal
for your amendment?

15 MR. EWAN: Yes.

16 MR. LOHSE: Do I hear a second?

17 MR. JOHN: I second.

18 MR. LOHSE: It's been moved and
19 seconded.
This is for Federally qualified
20 subsistence users to remove either, either
one lobe of the caudal fin or the ventral
21 fin.
Any discussion?

22 MR. EWAN: Question.

23 MR. LOHSE: Question has been
24 called on the amendment. All in favor of
the amendment, signify by saying "aye."
25

COUNCIL MEMBERS: Aye.

1 MR. LOHSE: All opposed, signify
2 by saying "nay."
Motion carries.
3 We now have an amended motion
4 that says basically that you may not possess
5 fish taken under the authorities of the
6 Upper Copper River -- under the authority of
7 the Upper Copper River with a Glennallen
8 District subsistence or a Chitina District
9 fishing permit unless one lobe of the caudal
10 fin or the ventral fin have immediately been
11 removed from the salmon. Only if you are
12 using -- wait a second -- okay. That's
13 where it stops, right?
14 So you may not possess salmon
15 taken under the authority of the -- under
16 the authority of a Federal, let's put in
17 there Upper Copper River District
18 subsistence fishing permit unless one lobe
19 of the caudal fin or -- unless either one
20 lobe of the caudal fin or the ventral fin
21 have immediately been removed from the
22 salmon.
23 Does that read basically what we
24 were saying, right?
25 Do we have anymore discussion on
this?
16 MS. SWAN: Could you read that
again, please?
17 MR. LOHSE: Okay. You may not
18 possess salmon taken under the authority of
19 a Federal Upper Copper River subsistence
20 fishing permit unless one lobe of the caudal
21 fin -- unless either one lobe of the caudal
22 fin or the ventral fin -- ventral or anal
23 fin, have immediately been removed from the
24 salmon.
25 Does that sound clear?
26 Either and/or. So you can remove
27 either the caudal fin, one lobe, or the
28 ventral fin. That way, whichever is easier
29 for the individual can be done. Both of
30 them will be very distinctive marks, and
31 they'll both be different than the State
32 mark, because the State mark is just the
33 tips of the caudal fin.

1 So, okay. Any other discussion?
2 Then a question is in order.

3 MR. ELVSASS: Question.

4 MR. LOHSE: Question has been
5 called. All in favor, signify by saying
6 "aye."

7 COUNCIL MEMBERS: Aye.

8 MR. LOHSE: All opposed, signify
9 by saying "nay."

10 Motion carries.

11 So, we probably added some more
12 confusion, but hopefully in the end it will
13 actually work out to be something that takes
14 away confusion when we get into customary
15 trade and bartering.

16 Okay. At this point in time we
17 have left Proposal 22, Larry. Would you
18 present proposal 22?

19 MR. BUKLIS: Mr. Chairman, the
20 draft staff analysis for Proposal 22 can be
21 found on page 151 of the council book, 151.
22 Page 151.

23 This proposal for the Upper
24 Copper River District was submitted by
25 Copper River Native Association, CRNA. The
26 proposal requests that fishwheel owners and
27 permit holders no longer be required to
28 display their names and addresses on
29 fishwheels. Only the fishwheel registration
30 number would need to be displayed. The
31 proponent states that names and addresses on
32 fishwheels was not a customary and
33 traditional practice and that this is
34 unnecessary regulation. Fishwheel
35 registration information includes a list of
36 subsistence fishing permit holders
37 authorized to use the fishwheels. The
38 proponent feels that this provides
39 management agencies with sufficient
40 information and that people on the river
41 know who owns the fishwheels. The
42 requirement in the Federal regulations to
43 post the names and addresses on fishwheels
44 was incorporated from the State regulations.
45 Regulations also have general statewide

1 provisions requiring names and addresses to
be posted on unattended fishing gear.

2 Fishwheels used in other areas of the State
such as in the Yukon and Kuskokwim Rivers
3 are required to have names and addresses
clearly displayed.

4 Enforcement officers could try to
obtain a current listing of fishwheel owners
5 and permit holders from the local Fish &
Game office before going out on patrol of
6 the fishery, but depending upon availability
of the data, this might not always be
7 possible.

8 Even with a permit list in hand,
absent signs, it would not be possible for
the enforcement officers to reliably
9 identify fishwheel operators should there be
a violation or some other matter requiring
10 communication since multiple operators may
be authorized to use a single wheel. If a
11 fishwheel is operated by both Federally
qualified and State qualified permit
12 holders, the sign requirement may aid in
enforcement if the fishery was ever
13 restricted to Federal users only.

14 The way in which regulations were
incorporated into our Federal regulations
introduced lack of clarity regarding the
15 sign requirements for fishwheel owners,
permit holders. Also, the stipulation that
16 the fishwheel owner is responsible for the
fishwheel when it is in the water was left
17 out as we brought State regulations into the
Federal regulations.

18 The analysis recommends to oppose
the proposal. As an informational item an
19 administrative correction would clarify the
existing regulations as to signs required by
20 fishwheel owners and permit holders and make
explicit the responsibility of fishwheel
21 owners.

22 MR. LOHSE: Any questions for
Larry?

23 Larry, I've got a couple of
questions right now. This is just for
24 clarification purposes. At this, point in
time, is the permit user's name required to
25 be on the fishwheel or the owner of the
fishwheel's name required to be on the

1 fishwheel?

2 MR. BUKLIS: Mr. Chairman, my
3 understanding is the fishwheel registration
4 number assigned to that piece of gear is
5 required, and the fishwheel owner's name and
6 address is required. If that owner allows
7 some other permit holder to use their wheel,
8 that permit holder is supposed to also post
9 a sign with their name and address on the
10 wheel.

11 So wheel, at a minimum, needs the
12 gear number, if you will, the registration
13 number for that unit of gear and the owner's
14 name and address. If it's also being used
15 by someone else that day, there should be
16 that person's name on the wheel.

17 The owner name and address is
18 supposed to be permanently mounted. The
19 own -- number is something that can be
20 removed when that owner is done.

21 MR. LOHSE: The requirement right
22 now is the current operator's number and
23 permit number be on the wheel also.

24 MR. BUKLIS: I don't believe
25 there's a permit number. The owner's name
and user's name and address, if there's a
user other than that day, yes.

MR. LOHSE: If there is a
violation taking place on the fishwheel and
the owner's name and address was on there,
and the current operator's name and address
was on there, to whom would the Fish & Game
apply the violation?

MR. BUKLIS: Mr. Chairman, my
understanding is the violation would be
applied to the current operator using the
wheel, but I -- my sense is that if there
was something fundamentally wrong about the
fishwheel as a piece of gear, in other
words, it had too many baskets or some other
problem or navigational hazard, that might
default to the owner of the wheel. That's
why we wanted the clause in there that the
owner is responsible for the wheel when it's
out in the water, ultimately, the owner has

1 some responsibility, but if it's a harvest
2 problem for that current operator, then they
3 are violating their permit for harvesting
4 fish. They're taking too many or there's a
5 wasteful practice or something else that's
6 specific to the harvest process.

7 MR. LOHSE: Would -- this is
8 just -- maybe I'm being a devil's advocate,
9 but I'm going to ask a question. If the
10 owner has a registration number for the
11 wheel, that registration -- I mean, there's
12 only so many wheels on the river. We have
13 600 permits, but we don't have 600 wheels on
14 the river, the registration number applies
15 to the owner, right? So that can always be
16 checked out.

17 To me, the only thing that I can
18 see that would need a name and address would
19 be the current operator, because if the
20 current operator's name and address was on
21 there, that would be for fish -- that would
22 be for fishing violations. If the wheel was
23 in violation, it has a registration number
24 on it. When my boat is out fishing, I have
25 a registration number on my boat, 12 inches
high. They can see the registration number
from an airplane, but I don't have my name
and address on the boat, but I have my name
and address on the permit. And if somebody
else is using my boat, their name and
address is on the permit, and if they are in
violation, they are in violation because
they are in violation on the permit. I'm
not responsible as the boat owner, but I'm
responsible if the boat is in violation as
the boat owner because the permit number is
registered to me.

20 And so I can see where -- I can
21 see where instead of having the user's name
22 and address on the wheel so somebody can
23 come and bug the user and say, "Can I use
24 your wheel?" just a permit number for the
25 user -- for the owner -- I mean, instead of
having the owner's name and address on the
wheel, so that somebody can come to the
owner and say, "I'd like to use your wheel,"
because they know where they live instead of
if you had a permit number, Fish & Game
would always know whose wheel that was, but

1 the users -- the current operator's name and
2 address needs to be on there because that's
3 the person that would be responsible for any
4 fisheries violation at that point in time.
5 And I don't see where -- I mean,
6 just like my boat -- the Fish & Game has no
7 problem knowing whose boat it is by the
8 permit number that's -- by the ADF&G that's
9 posted in 12-inch letters on the boat. They
10 have no problem knowing whose boats that is,
11 and they don't require me to have my name
12 and address on it. But they do require me
13 to have my name and address and my
14 identification along with my permit card for
15 using that boat. And I would think that --
16 I, myself, I can see -- I can see the
17 people's reluctance to have their name and
18 address on the fishwheel because people can
19 come and knock on their door and say, "Could
20 I use your fishwheel?" And if they didn't
21 have it there, the Fish & Game still knows
22 whose it is, but not every Tom, Dick and
23 Harry that comes by knows who it is.
24 If they are operating it, they
25 should have to have an operator's name and
address on there.
See what I'm getting at?

MR. BUKLIS: Yes, Mr. Chairman,
if that's a question of me. I understand
what you're saying, and it would hinge on a
good and current and accurate list of owners
associated with fishwheel that have that
number on them. That would take the place
of the owner name and address sign. And so
if the enforcement people can link that
numbered wheel to an owner, it would serve
the purpose of the owner name and address,
that's right.

MR. LOHSE: Yeah, I think with
the number of wheels in comparison to the
number of fishing boats, and they use it on
fishing boats all over the State, the number
of wheels is pretty small.
So, thank you, Larry. Any other
questions for Larry?
Fred?

MR. ELVSASS: I was just curious.

1 How big are the signs with the name and
2 address and so forth, the owners? Do they
3 have to have a signboard or just a paper
4 posted?

5 MR. BUKLIS: Mr. Chairman, the
6 Federal regulations are a little confusing
7 as to which sign they're talking about. As
8 I work through it the owner name and address
9 sign needs to be permanently mounted, so a
10 piece of paper or cardboard would probably
11 not meet that standard, but it doesn't
12 specify how big a sign or how big the
13 letters need to be.

14 The operator sign does have a
15 specification -- I'm looking for it -- 12 by
16 12 inches in terms of the sign, and then the
17 lettering needs to be one inch high. So
18 there's some specifications about the
19 operator sign, and the owner sign is a
20 permanent sign. And so cardboard or paper
21 would probably not meet that standard.

22 MR. ELVSASS: So, if -- if I
23 had -- excuse me, a fishwheel, and I wanted
24 to let you use it, you would have to paint
25 the sign in sufficient size before you could
operate the wheel; is that right?

MR. BUKLIS: Someone would --
yes, between us we'd need to make a sign for
me that had my name and address as an
operator.

MR. ELVSASS: You can't just
stick your permit paper on there and call it
good.

MR. BUKLIS: That's correct. I
can't just do that.

MR. ELVSASS: It just seems to me
that the -- if the number, registration
number of the fishwheel itself was
sufficient size like in the commercial
fishery, like I have to do, that should take
care of the owner's obligation for
identification, because Fish & Game needs to
know or enforcement needs to know whose it
is. And then in regards to the operator, it

1 just seems unusual to me that the operator
2 needs to paint a new sign but I guess if
3 that's customary on the river, that's -- I
4 don't see a problem with that.

5 But in regards to the owner, I
6 would think just the number board,
7 registration number is sufficient.

8 Is it a problem for you, Roy?

9 MR. EWAN: No, Mr. Chairman, no,
10 it isn't for me, but it may be for others.
11 Somewhere in that process, I -- you know,
12 lost track of the reasons for the name that
13 address to the number. I think one would be
14 sufficient, myself. I mean, the number, you
15 can look at the number and know who the
16 owner is. But if you had somebody else
17 running it, maybe it would be -- should be
18 required that the name be put on it and
19 whatever permit number they have.

20 MR. ELVSASS: But if you let
21 somebody else operate the fishwheel when
22 you're through, is it a burden or any real
23 difficulty for them to paint the sign?

24 MR. EWAN: I have no experience
25 in the difficulty. I only have one person
that uses my wheel, that's because he helps
me. It's a lot of work to put in a
fishwheel.

MR. ELVSASS: I think if you let
me use your fishwheel, I'd be happy to paint
the sign.

(Laughter.)

MS. SWAN: If you have your -- on
your permit, on the fishwheel permit, do you
have to have the names -- you do have the
names of the other permit users? Are they
listed also on the permit itself?

MR. BUKLIS: Mr. Chairman, the
State might be better able to speak to this
or Park Service staff who have worked more
closely with the permits. I don't think the
fishing permit has any cross-referencing of

1 users and cooperators. That's an individual
household document.

2 It's the sign on the fishwheels
and then that registration number for the
3 gear has an associated listing of who's
authorized to use it back at the Fish & Game
4 office or in the future, the Federal office,
but no, there isn't a cross referencing of
5 these shared users on the fishing permits.
It's a reference to the gear number with a
6 listing back at the office.

7 MR. LOHSE: Larry, can I ask a
question?

8 And I may be wrong in my
understanding, but I know that the common
9 practice on the river is that if you've got
a fishwheel and you've caught your fish and
10 a friend hasn't caught his fish and he comes
to ask to use your fishwheel, you let him
11 use your fishwheel, and if you decide to do
that during the middle of the season, do you
12 have to go back and correct your original
registration and put on the original
13 registration that you have another operator
of the fishwheel?

14 MR. BUKLIS: Mr. Chairman, yes,
15 my understanding is you should amend, maybe
by radio or telephone or some other contact,
16 maybe not in person, but amend your list of
authorized users, yes.

17 MR. LOHSE: But I know that's not
18 done, so that's why I think that the
operator's name has to be on the fishwheel,
19 because nobody in the middle of the season
when their friend needs to use the fishwheel
20 goes back and amends their original
registration form, so, I think the fishwheel
21 needs to be registered in the name of the
owner, but every operator needs to have a --
22 identification when they're operating it,
but I can't see where the fishwheel owner
23 has to have a name on it if he's got a
registration number, because there's only
24 one registration number for each fishwheel,
right?

25 MR. BUKLIS: That's correct.

1 MR. LOHSE: So it's registered
2 just like a boat?

3 MR. BUKLIS: (Nods head.)

4 MR. LOHSE: Thank you. Any other
5 questions for Larry? I'll ask Alaska
6 Department of Fish & Game.

6 MR. SWANTON: Mr. Chairman, for
7 the record my name is Charlie Swanton,
8 Alaska Department of Fish & Game. This is
9 Proposal No. 22. The State does not support
10 this proposal. The proposal seeks to revise
11 regulations requiring placement of names on
12 fishwheels. It would require a registration
13 number to be visible on the fishwheel rather
14 than the name and address.

15 The requirement for fishwheel
16 owner and fishwheel user nameplate on the
17 fishwheels is for enforcement purposes and
18 to protect the owner of the fishwheel from
19 unauthorized use of the fishwheel. Since
20 1998, ADF&G has requested owners to provide
21 a list of authorized users to their
22 fishwheels as an increase of people claiming
23 to have permission to use specific
24 fishwheels without authorization from the
25 owner resulted in theft, trespass and
26 vandalism of fishwheels. The fishwheel
27 owners or fishwheel users' permit list only
28 permits -- list only households that may
29 fish that permit on that fishwheel, not all
30 authorized users for that fishwheel.
31 Requiring an owner's nameplate and a user's
32 nameplate allows enforcement officers to
33 quickly determine who is responsible for the
34 fishwheel, and who is currently operating
35 the fishwheel, and whether the individual
36 operating the fishwheel has authorized use
37 of that fishwheel.

38 I understand that might be a
39 little bit confusing for you.

40 This proposal would not provide
41 for increased opportunity for Federal users
42 and does not impact subsistence fishing
43 opportunity. If adopted, it would likely
44 result in confusion for users and
45 enforcement issues due to considerable

1 divergence between State and Federal
2 regulations. For example, currently there
3 are both Federally- and state-qualified
4 subsistence users using the same fishwheel.
5 If this proposal is adopted, state-qualified
6 users would be required to have a nameplate
7 while a Federally qualified user of the same
8 fishwheel would not, and the owner, if
9 federally-qualified would not, but a State
10 user of the same fishwheel would. This
11 represents a significant burden to the user.
12 And these listings of people that are
13 permitted to use the fishwheel is a courtesy
14 and there are other issues associated with
15 identification of the fishwheel that are not
16 akin to a CFAC permit or a boat
17 identification permit. Although we are
18 largely in the office on weekends for
19 various purposes, we don't carry with us the
20 lists of who owns the fishwheel. As an
21 example, if a fishwheel were in danger of
22 drifting downriver and creating a
23 navigational hazard or -- you know, for a
24 myriad of other reasons, we need to be able
25 to quickly identify and phone that person.
Now, if it's an enforcement agent on a
weekend, he can quickly identify by the name
of the person that owns the fishwheel to
say, "Hey, you better come and deal with
this issue"; and I know that -- I'm going to
speak on behalf of Ahtna and Chitina, the
issue of identification of derelict
fishwheels downriver on gravel bars and
everything else is -- has been an issue that
they've brought up to the Department in the
past and it readily allows us to identify
without having to search a permit listing in
terms of who owns the -- the permit owners
of the fishwheel.

Thank you.

MR. LOHSE: Thank you, Charlie.
Any questions for Charlie?

MR. EWAN: Mr. Chairman, like I
say -- said about the fins that we're
talking about earlier, my thinking of that,
we try to help the user. The agencies, they
get paid to go out and do whatever they have
to. They should have a list -- I don't

1 think Copper River is that hard. Other
2 rivers may be hard, but in my opinion, you
3 just -- should just about have an idea of
4 who owns which fishwheels. We've done it
5 for years, especially in my community, where
6 I come from, we know where -- whose wheel it
7 is everywhere along the -- I would say ten
8 miles along the river.

9 I may be wrong, but it just seems
10 to me like it's not that much of a burden to
11 know whose wheels they are.

12 Like I said, I don't think it's
13 necessary to have both name and number. I
14 think if you're going to require a name,
15 just forget the number.

16 MR. LOHSE: Charlie brought up
17 the idea of derelict fishwheels, which I've
18 seen floating down the river before, on
19 river bars down there. How big of a problem
20 is it?

21 MR. SWANTON: I can't speak
22 directly year in and year out, but I know
23 that -- I mean, it's come across, I guess,
24 my desk. You know, it's usually an instance
25 of a couple a year, but the derelict
26 fishwheels that are in that section
27 downriver and on gravel bars, I probably
28 would ask someone from Ahtna and Chitina who
29 actually has much experience about how many
30 that might be. They've urged the State to
31 try and take care of it and some of those
32 fishwheels don't have an identification on
33 them any longer, so it may be as many as a
34 handful, maybe as many as a dozen stretched
35 out over a wide range, but I don't have any
36 knowledge of that.

37 Thank you, Charlie.
38 Larry?

39 MR. BUKLIS: Mr. Chairman, a
40 couple of points to follow out these
41 discussions. The staff analysis for the
42 proposal that we're on does have some
43 information about the numbers of fishwheels
44 out on the river, because, as you said, the
45 number of permits is larger than the number
46 of units of gear out on the river. For the
47 period of 1984 to 2000, so about a 16-,

1 17-year period, the number of actual wheels
that were permitted range from 78 to 126.
2 So, we're finding it's off. It's on the
order of 100 wheels. And then, secondly,
3 the issue of derelict or wheels washing up
or not being secured properly, there was a
4 proposal to our Federal process. It was
Proposal No. 19 that spoke to requiring
5 people -- requiring operators or owners to
remove the fishwheels from public lands, not
6 just from the water, but from public lands
because of the poorly secured wheels washing
7 downriver as Charlie has described.

He's described an in-season
8 problem, but there is a concern about
post-season wheels washing downriver.

9 That was -- that's not a proposal
we're addressing because it's not under the
10 Federal Subsistence Board's authority to do
land management issues. But it is a concern
11 about derelict wheels.

12 MR. LOHSE: I remember that
proposal being in the book. And I was
13 wondering how this would apply to that,
because that's something I know Federal land
14 managers are going to address even if we
don't address it from the subsistence
15 standpoint.

Charlie?

16 MR. SWANTON: Yeah, Larry is
17 correct in that actually we've -- that
jurisdiction or the authority is held by the
18 Department of Natural Resources because they
are the ones that are essentially the land
19 managers below ordinary high water which is
where a lot of these fishwheels are. We've
20 tried to address that. You know, again,
Ahtna Native Corporation have urged us in
21 that regard. I don't know the last meeting
that we had, I believe that Joe Hart with
22 Ahtna was going to write a letter to the
Commissioner with DNR to allow them -- or to
23 essentially see if they wouldn't enforce --
or enforce things such that the fishwheels
24 would be actually removed from State land
during the winter months, because on the
25 flood plane above the bridge where there are
a large number of fishwheels, people store

1 them from the river by pulling them up as
2 far as they can. Spring flood and so forth.
3 There have been a number of derelict wheels
4 that have essentially been generated from
5 that aspect. It is something that we are
6 trying to work on, but we haven't gotten
7 very far with it, I guess.

8 MR. EWAN: Mr. Chairman, I have a
9 question. I don't know if it's related. I
10 think it's related, and I think it's
11 something that maybe has been discussed in
12 the past. I don't know, I've been away for
13 a while.

14 It has to do with permit holders'
15 help, how were they treated. Say, I had
16 somebody help me bring my salmon up for me,
17 but I wasn't present. How would you treat
18 that person, that individual? Go down to my
19 fishwheel and bring my salmon up there, and
20 they've done everything that they're
21 supposed to do with the fins, but you caught
22 them down there. How would you treat them?

23 I'm curious about that, because
24 both my person that helps me down at my
25 fishwheel both have family, and we both do
26 get help, do have somebody help us.

27 MR. SWANTON: I'm not as familiar
28 with, you know, the listings in terms of the
29 fishwheel permits and how they are -- you
30 know, I know that on the dip net permits,
31 you list household members on your actual
32 permit, and I believe that those household
33 members can participate in any way, shape,
34 or form with regards to the actual fishing,
35 but I'm not sure of how that -- maybe I'll
36 just let my brain answer that one.

37 MS. PERRY-PLAKE: Lin
38 Perry-Plake, Alaska Department of Fish &
39 Game. I have worked doing enforcement for
40 seven years in Chitina. That is a situation
41 that comes up a lot, that is if you are the
42 current operator of your wheel, then only
43 you and the members of your household listed
44 on your permit, under State regulation are
45 allowed to be handling those fish, taking
46 them out of the box, per se. Once they're
47 out of the box and they've been marked

1 that's another matter. And so the situation
2 arises, for instance, someone comes out to
3 visit for the weekend and they go down to
4 help you at the wheel. Unless they have
5 their own permit for the wheel and they are
6 currently posted as the operator under State
7 regulation, if they were helping you take
8 the fish out of your box, they could be
9 cited. And so, I think you've raised a good
10 point that probably should be addressed so
11 that the situation doesn't continue, because
12 it creates a hardship for many people,
13 myself included. You know, if someone
14 offers to go help me get fish from the
15 wheel, I'm in the same situation. But
16 current State regulations says only whoever
17 is currently posted as the owner or current
18 user/operator of the wheel, they and their
19 household members are the only ones who can
20 be removing fish from the wheel.

21 MR. EWAN: I can get a family
22 member to help me?

23 MS. PERRY-PLAKE: If they're a
24 member of the immediate family. Your permit
25 was issued to Roy Ewan, then you listed the
26 rest of your family that lives with you,
27 your direct household, that's fine. Say you
28 have your sister come by, or a nephew.
29 They're not a member of your immediate
30 family. They're not listed on your Permit
31 No. 1344. Then if they were taking fish out
32 of the box, helping you, it would be a
33 violation. So that's a good point, Roy.
34 Thanks.

35 MR. LOHSE: Can I ask for a
36 clarification?

37 MS. PERRY-PLAKE: Uh-huh.

38 MR. LOHSE: Once the fish are on
39 the box or onshore, they can help clean
40 them. They can put them in a truck and pack
41 them up the road. They can't actually
42 operate the fishwheel.

43 MS. PERRY-PLAKE: Removing fish
44 from the box is operating the fishwheel.

1 What we have said from the State, unless the
2 fish are marked, that you can't have someone
3 else -- say you're taking them out ten at a
4 time in a bucket, bring them up to a table
5 and clip the tail fins, then, yes, someone
6 can help. If you're filleting, yes, someone
7 can help you. The removal from the box,
8 that's where a lot of us need help.

9 MR. LOHSE: Larry?

10 MR. BUKLIS: Question for the
11 Department too, or comment. Isn't the
12 intent of the regulation to protect the user
13 from people allegedly helping by removing
14 fish from the gear? Isn't that really the
15 intent, not a hardship on the user, but as
16 to protect against people, unauthorized
17 people removing fish?

18 MS. PERRY-PLAKE: I think that
19 it's sort of a Catch-22 where, yes, that
20 regulation would protect me from someone
21 else unauthorized taking fish from my wheel
22 and enforcement wouldn't necessarily know,
23 but it does very often create a hardship.
24 You know, that's my personal experience.

25 And I think that it was -- it was
26 basically done as -- to assist enforcement
27 just trying to keep track of who was or
28 wasn't supposed to be taking fish from the
29 wheel.

30 MR. LOHSE: Roy?

31 MR. EWAN: Mr. Chairman, I think
32 this is something that really should be
33 discussed in the future. I think there's a
34 lot of views to that regulation right now.

35 I thank you for the answer. I
36 didn't know that. I was kind of lost the
37 last four years. I haven't been to several
38 meetings, and I don't recall ever talking
39 about this. And I was confused about that.

40 MS. PERRY-PLAKE: I think many
41 people have been in the situation of not
42 necessarily even knowing that maybe what
43 they were doing was a violation and maybe
44 being in a position of violation or not.

1 MR. EWAN: But I do have a couple
2 more questions.

3 One is suppose you got sick. You
4 are an Elder and you got sick. What's the
5 solution? Let the fish rot while you're
6 trying to get another permit for the person?

7 MS. PERRY-PLAKE: One option
8 there, of course, again, the situation is
9 where do you live, where's your wheel in
10 relation to where -- in our case the State
11 office, the option would be for someone who
12 was going to help you to get a permit to use
13 your wheel, and then take fish.

14 The question can arise there
15 then, that they may be taking fish out and
16 actually giving them to you, it counts
17 against their permit limit. You know, there
18 are a lot of ifs in there. That's one of
19 the reasons why the Village Council Wheel
20 Program, I think, has been a good thing
21 because when it does operate as it should,
22 then there's a wheel and everyone just comes
23 and signs up and they use and the fish get
24 distributed which is really the way it
25 should be anyway.

But right now, they would have to
get their own permit to help you.

MR. EWAN: Mr. Chairman, I don't
know if I heard that correctly. You say
there are cases, kind of if a person was
handling the fish or something like that?

MS. PERRY-PLAKE: It's not iffy,
if someone is not listed on the permit and
they're taking fish out of the box --

MR. EWAN: That's a clear
violation?

MS. PERRY-PLAKE: That's a
violation.

But probably, he's bringing up
the idea of proxy. Yeah, you could, if you
could get a doctor that would certify you
were 70 percent disabled because of your
illness then they could get a permit by
proxy, take fish for you.

1
2 MR. EWAN: Suppose you --
3 something real serious happens, and you
4 didn't know what you were doing. Is there a
5 time to get a permit? I think there's --
6 thank you.

7
8 MR. LOHSE: Fred?

9 MR. ELVSASS: It just seems
10 ridiculous to think that if the operator
11 permit of the fishwheel was there that he
12 has to get a permit for somebody to pack the
13 fish up from the fish box. I mean, they're
14 not violating any catch rules or anything.
15 It's just a matter of helping getting those
16 fish out of the box, and I know in my case
17 when we have our king salmon fishery, I'm
18 fishing in a float and I usually sit around
19 my skiff BSing with some people until some
20 young fellows come by and they bring kings
21 up the dock to me. That's quite a chore.
22 They have nothing to do with the fishery.
23 And it seems as long as the permit holder is
24 there or the fishwheel owner, there
25 shouldn't be a problem, you know. Willing
hands are always welcome.

MS. PERRY-PLAKE: I think
that's -- I agree with you. I think the
situation has become more and more finely
defined with rules and regulations because
the number of participants has increased so
drastically, and as in so many other things
in life, the more people you have
participating, you know, the more young kids
you have that want to violate and create
problems, so the rules supposedly protect
everyone, and they often create a hardship.
So you might want to just avoid what the
State's had to deal with.

MR. ELVSASS: At this time, I
would have to agree that you wouldn't want
people taking fish out of the box when the
permit holder is not there. That would, in
fact, be trespassing or it could be that
they weren't authorized to do it. But in
turn, when the operator or permit holder is

1 there, I think that's a bad law or
regulation.

2 Thank you.

3 MR. LOHSE: I have -- just a
second, Larry. I want to comment on one
4 thing she said. I have to say I have to
agree with Fred on that one when the permit
5 holder is there. I understand where it
comes from. I didn't understand it was a
6 law. I know my boys helped a 90-year-old
get the fish out when he was operating the
7 wheel. Obviously from what you're saying,
they were illegal to go out and carry a fish
8 out of the fishwheel from somebody that
wasn't a direct member of the family even if
9 he's 90 years old.

 I know in commercial fishing,
10 anybody that operates on the boat and
touches fish has to have a commercial
11 license and it doesn't matter -- my sons had
to have a commercial license when they were
12 five years old to move fish on the boat for
me simply because that's the regulations
13 that nobody can touch fish on the boat
without having a license.

14 And so I'm sure that it's a
carryover from that, but there should be
15 some way that -- I mean, some older people
don't have family in the immediate area to
16 give them a hand, and you can't put -- I
can't -- my two sons can't go and get a
17 permit so that they can help this older man
get his fish because they're not heads of a
18 household. So something, I think, in the
future has to be done on it. I'm glad you
19 brought it to our attention. I had no idea
they were doing anything illegal.

20 And I don't think a lot of other
people do either.

21 MS. PERRY-PLAKE: Right.

22 MR. LOHSE: You're just helping
somebody else. They obviously have the
23 permit. They're obviously there, and so
you're giving them a hand.

 But it doesn't apply to what we
24 were doing right now, but it was a good
25 question, Roy, because I sure didn't know it

1 was there.

2 Larry, you had something you
wanted to share with us.

3 MR. BUKLIS: Yes, thank you. It
4 was pointed out to me in the options there
is an area designated for a person helping
5 the permitted fisher, in terms of your
public booklet. It's on page 9 and it's
6 designating another to fish for you, and it
doesn't have a feature about medical illness
or disability or anything like that. I
7 won't read it all, but basically if you're
Federally qualified to subsistence fish, you
8 can designate another person to take fish on
your behalf. So not to assist you, but they
9 can actually take fish on your behalf. But
when they're doing that, you can't take fish
10 on your behalf at the same time. You're
delegating or designating that person to do
11 it, and you can only designate one person at
a time to take fish for you, and that
12 designated fisher must have a designated
harvest permit. There is a stake. So you
13 do have to get a designated harvest permit,
but it wouldn't be coming out of their
14 potential harvest allowance for themselves and
their family. It would be coming out of
15 your total. They're doing it on your
behalf. When they're done doing it on your
16 behalf, they can harvest and take fish on
their behalf under their permit.

17 MR. LOHSE: Okay. So it applies
18 to your limit?

19 MR. BUKLIS: That's correct.
When you designate or delegate, it's
20 applying to your limit. It's on page 9 of
our booklet.

21 MR. LOHSE: Okay.

22 Thank you, Larry.

Any other questions for the folks
23 on the table?

Okay. With that, we'll go on to
24 other agencies. Does any other agency have
a comment they'd like to make on this?

25 Eric?

1 MR. VEACH: Mr. Chairman, Eric
2 Veach, Wrangell-St. Elias National Park.
3 Again I wanted to share some of the comments
4 that were prepared at -- one of those was
5 the Elders really do struggle with the
6 writing requirements and the process of
7 making the sign, particularly folks with
8 poorer vision have a tough time getting the
9 name written on the sign and actually
10 constructing the sign, and another issue was
11 brought forward by several (Mark) folks at
12 the workshop was that there's a real privacy
13 issue, that they fear, at least that by
14 posting their name and address, essentially
15 on a public place, fishwheel in navigable
16 water, folks with some sort of criminal
17 intent can have access to their name and
18 address. It's not information that they
19 necessarily want to share.

20 And then one other point that I
21 just kind of wanted to mention but sort of
22 agree with Larry's analysis is that although
23 this list is maintained by the State, it is
24 confidential information and so a copy -- if
25 only the numbers were posted on the
26 fishwheel and not the names and addresses,
27 you know, that list of the names and address
28 that goes with the number on that fishwheel
29 is not readily available to everyone. For
30 example, I really can't get a copy of a
31 complete list because that is confidential
32 information and yet I and several of my
33 staff spend quite a bit of time on the river
34 during the summer. Certainly, if we see a
35 problem with the fishwheel, we're in a
36 position that we could communicate that
37 information to the owner if the name is
38 posted there.

39 That's all I have, Mr. Chairman.

40 MR. EWAN: Mr. Chairman, with
41 improvement in communication nowadays, it
42 just seems like it's a lot easier for
43 agencies to communicate and find
44 information. The less burden you put on the
45 user, the better for me. Just a comment. I
46 think you can use a cell phone or something
47 down in that area, some areas or some other
48 type of communication to find out who owns
49 that also. It's just not that hard. I

1 don't think it's that difficult.

2 MR. LOHSE: Eric, can I ask a
3 question? Did the objections seem to be
4 against the -- posting the owner's name and
5 address on the fishwheel or was the
6 objection to even posting the operator's --
7 would there be a problem with just having
8 the current operator's name and address on
9 the fishwheel?

10 MR. VEACH: My -- was the
11 objection to both? They didn't want their
12 name and address displayed in any kind of a
13 public place?

14 MR. LOHSE: Okay. Are there any
15 Fish & Game Advisory Committees that would
16 like to speak to this?
17 Written public testimony, Ann?

18 MS. WILKINSON: Mr. Chairman, we
19 had one comment from CDFU.
20 Do you want to do it?
21 I guess we don't.

22 MR. LOHSE: No other public -- no
23 other written public testimony. So we have
24 Wilson Justin, and this is Proposal 22,
25 isn't it?

MR. JUSTIN: Yes.

MR. LOHSE: Wilson Justin, and
Gloria, and that looks like about it on
this -- and Jane Nicholas. Okay.

MR. JUSTIN: Thank you again.
The organization with Mount Sanford Tribal
Consortium and Chitina Tribal Council most
supports Proposal 22 in its entirety, and
I'd like to discuss some of the underlying
reasons why. A lot of the discussion in my
mind is superfluous in terms of the names
and address. I think it's a lot of privacy
issue that is far above and beyond the
regulatory issue. The right of privacy is a
serious matter in my mind. If the person
who is using the resources on the river is
required to post their names and addresses

1 out there, that invites a lot of abuse,
2 particularly from animal rights activists
3 and other organizations that have a great
4 deal of conflict with the way we live and
5 who we are.

6 So, to me, the right of privacy
7 is a very serious Constitutional
8 consideration here far outweighing any
9 regulatory need and that may be enough alone
10 for most people to give serious
11 reconsideration to the issue, but I'd like
12 to go on a little further. There is also a
13 secondary issue here in regarding use and
14 consuming. It seems to me that the need for
15 names and addresses as positive by an agency
16 is in direct correlation to enforcement of
17 theft. Well, to me, posting the names and
18 addresses is a lot like asking a bank robber
19 to forward his name and address to a bank
20 he's going to rob. I mean, law-abiding
21 citizens who are accessing the resources on
22 the Copper River in the form of salmon are
23 going to be law-abiding irregardless of what
24 happens. I like to see the absurdity of the
25 regulations that are in place now when all
practical reason tells you that a fishwheel
is managed by families and by community, not
by individual.

1 I know that in our area, and
2 Chitina, there are only two wheels, one a
3 fishwheel run by an individual on a private
4 property, and the other fishwheel is a
5 community fishwheel run by Chichna Tribal
6 Council on behalf of the remaining residents
7 of the community. That fishwheel, too, is
8 on private property. The fishwheel that the
9 Chichna Tribal Council operates on behalf of
10 the community is operated with access issues
11 and permission to cross the land directly
12 given to the Village Council, but no one
13 else.

14 So, we run a wheel on behalf of
15 family and residents and Elders in the
16 village and surrounding areas, but the
17 specific -- with the specific understanding
18 with the landowner that we will not allow
19 trespassing, piracy to occur.

20 Chichna Tribal Council were to go
21 and have to get the names and addresses of
22 every user, permit holder and et cetera, it

1 defeats the entire program that we set to do
2 at the Fish & Game meeting in 1996 which is
3 to make the resources legally available to
4 the users. Mr. Roy, what you want in my
5 estimation is actually correct. The purpose
6 of regulation is not to punish the user,
7 it's to make it easier for the user to
8 access the resource. If the State Fish &
9 Game and enforcement agency say that this
10 regulation is currently being abused, then I
11 would say, "Well, change the regulations."
12 Citizens who use the resources on that river
13 are by and large law-abiding. Why are they
14 criminals all of a sudden in the pursuit of
15 the idea that somebody is stealing something
16 and getting away with it? I don't buy into
17 that kind of overall approach in any
18 allocation of resources. It's only a
19 resource. Our job both at the Village
20 Council level, at the regional nonprofit
21 level, and your level is to marry up the
22 resource with the person who needs it, and I
23 think that's what my primary objection --
24 objection here or my objective here is to do
25 that, make it as easy as possible for the
26 needy users to get to the resources that
27 they depend on. And to me having names and
28 addresses is an impediment. If you want to
29 punish somebody, go find the wrong-doer,
30 don't find the person who is using the fish.
31 It really creates a police state mentality.
32 I don't know if we're going to be 100
33 percent at Chichna in compliance with the
34 law, but I know that the need of the people
35 that operate the fishwheel is very great.
36 We're compelled to break the law. We always
37 have been.

38 Having said that, wouldn't it be
39 a lot easier to change the law to reflect
40 and protect the rights of the people who are
41 law-abiding, because otherwise why do
42 anything at all? Just sit home and look.

43 Thank you, if there are any
44 questions, I'll be glad to answer them.

45 MR. LOHSE: Are there any
46 questions for Wilson?

47 I have one. Wilson, well, you
48 get an operator's permit for operating the
49 fishwheel, not an owner's permit. When you

1 get an operator's permit, does that
operator's permit have a number on it? Yes,
2 and we post it on the wheel.

3 MR. LOHSE: You post the
operator's number on the wheel?

4 MR. JUSTIN: Correct.

5 MR. LOHSE: There is both an
6 owner's number and operator's number?

7 MS. WILKINSON: Yes, we have the
two numbers side by side. A lot of times
8 only one remains after a while.

9 MR. LOHSE: Because only the
owner's number remains when nobody is
10 operating?

11 MR. JUSTIN: To me, the names and
addresses that's required to be displayed is
12 always superfluous. If the intent of the
regulation is to punish people who are
13 illegally taking or using the resources,
this won't do it.

14 MR. LOHSE: Wilson, can I ask you
15 a question?

16 MR. JUSTIN: Absolutely.

17 MR. LOHSE: Have you ever been
stopped and had a policeman check your
18 driver's license number?

19 MR. JUSTIN: About four times.

20 MR. LOHSE: How long does it take
them to find the information on it?

21 MR. JUSTIN: Not very long.
22 Maybe 45 seconds.

23 MR. LOHSE: They make one phone
24 call.

25 MR. JUSTIN: Just call.

1 MR. LOHSE: All the information,
2 and --

3 MR. JUSTIN: I've never been
4 charged with anything, just stopped.

5 (Laughter.)

6 MR. LOHSE: I wasn't talking
7 about that I was talking about one of the
8 things that also we're dealing with. As
9 things change, as information becomes much
10 more readily available, and things that were
11 a problem ten years ago aren't so much of a
12 problem today.

13 MR. JUSTIN: And that's why I
14 made sure to mention in my remarks that I
15 regard a lot of the opposition to this
16 proposal as superfluous. You're talking
17 about the space age here. You couldn't get
18 away from being found out who you are if you
19 tried for a hundred years. Only the guys
20 who are illegally using the resources get
21 away with that stuff. They don't put their
22 names on the wheels.

23 MR. LOHSE: Thank you.

24 MR. JUSTIN: Thank you.

25 MR. LOHSE: Jane?

26 MS. NICHOLAS: My name is Jane
27 Nicholas. I'm from Katvilla Village. I am
28 Athabaskan. I'm here to give public
29 testimony on Proposal 22. This regulation
30 requires that registration number and name
31 and address be permanently affixed and
32 plainly visible on the fishwheel when
33 fishwheel is in the water. With a metal
34 plate of at least 12 inches by 12 inches
35 wide bearing your name and address in the
36 letters at least one inch high must be
37 attached to each fishwheel so that the name
38 and address are plainly visible.

39 This is another cumbersome and
40 burdensome regulation placed upon the
41 qualified subsistence users who use the
42 fishwheel to fish with. Also, it is not a

1 customary and traditional method of fishing.
The qualified subsistence user, especially
2 the Elder, would have difficulty in
complying with this regulation who do you
3 not have a good writing ability or can't
write on pieces of 12 inch wooden board.

4 Officials can enforce this
regulation bill talking to a person to see
5 who is using the fishwheel as is stated on
the fishwheel permit, by number on the
6 fishwheel at fishing site.

The State and Federal agent
7 should have working agreement in place to
share information to get names and addresses
8 of fishwheel's owner.

The number of fishwheel would
9 show who is currently running the fishwheel
and the fishwheel permit would show if
10 someone is using someone else's fishwheel.

Fishwheel permit can be shown to
11 officer at fishing site to see if they own
fishwheel or if they are using someone
12 else's fishwheel.

Thank you for listening to me.

13
MR. LOHSE: Thank you, Jane.
14 Are there any questions for Jane?
Thank you.
15 Gloria?

16 MS. STICKWAN: Putting names and
addresses isn't customary and traditional
17 and is burdensome for the Federally
qualified users, especially the Elders. The
18 numbers on the fishwheel would show who the
owner is. Whenever we give our permits,
19 when they give out permits, we have the
owner's name on the permit and on the back
20 of it we are always told by Fish & Game to
put down who is going to use the fishwheel
21 so we have a list of the fishwheel's -- you
know, what the name is, and whenever they
22 have -- sometimes they do call me up at
CRNA, you know. I tell them who it is and
23 who -- I give the phone numbers too,
sometimes.

24 You know, another way this could
be solved is everybody gets a number,
25 whoever's using the wheel, they would all
get numbers and just put that number on the

1 fishwheel and temporarily -- put it on top
2 of the other one. You would know who is
3 using the wheel on top. If they don't want
4 to do that, you know, even an agreement
5 between the State and Federal to get names
6 and addresses, you know, that way it would
7 be kept private between Federal and State
8 users and protect the owners. That could be
9 done too. I think it would just be easier
10 just to give everybody numbers.

11 MR. LOHSE: Any questions for
12 Gloria?

13 MS. SWAN: Mr. Chairman, just to
14 clarify, then you don't object to a number
15 being used on the fishwheel?

16 MS. STICKWAN: No, it's just -- I
17 just -- we thought it would just be easier
18 to have a number for identification rather
19 than have your names and addresses.

20 MS. SWAN: Okay. Thank you.

21 MR. LOHSE: Gloria, can I just
22 ask one question?

23 Then there would be no problem to
24 have the owner's number on the fishwheel and
25 the operator's number on the fishwheel?

MS. STICKWAN: I think it would
be easier for people. I think, just a piece
of plastic too, if they don't want a
wooden -- a number encased in plastic would
be so much easier too, you know, for the
operators, maybe -- a wooden board 12 inch
by 12 inch could be for the owners and
distinguish between owner and operators, a
piece of plastic -- paper encased in
plastic, attached to the wheel, that would
be so much easier.

MR. LOHSE: Thank you.

One more public testimony. Anita
Lowly?

MS. LOWLY: Ralph, I decided not

1 to do it.

2 MR. LOHSE: Okay.
3 That's all of the public
4 testimony.

5 A SPEAKER: Sir, I'm here to
6 public testify --

7 MR. LOHSE: I've got your name
8 right here. As soon as we're done with this
9 proposal, I'll have you testify.

10 A SPEAKER: Amen.

11 MR. LOHSE: Okay. With that, we
12 have Proposal 22 in front of us. We need a
13 motion to put it on the table as written or
14 as -- as recommended by the staff, whichever
15 you would prefer.

16 MR. JOHN: Mr. Chairman, I would
17 like to move that this proposal to the --
18 Mr. Chairman, I'd like to bring this
19 proposal to the table as written.

20 MS. SWAN: Second.

21 MR. LOHSE: It's been moved and
22 seconded to bring this proposal to the table
23 as written.

24 Discussion and recommendations or
25 amendments or anything like that?

MR. JOHN: I'd like to say that
after hearing all the testimony out there, I
like -- I really don't want my name on my
fishwheel or my car, not my fishwheel --
another thing is I think, like I said, just
the number, communication is real fast
nowadays. Just using the number, you can
get the number and address of who owned the
fishwheel or who else used it and
everything. So. I don't think the name and
address is appropriate. I don't -- you
know, going down the river, you see a bunch
of different names on there, just envision
the privacy -- invasion of privacy, I
believe.

1 Thank you.

2 MR. LOHSE: Okay. So, basically,
3 you would say a wooden plate -- wood or
4 metal plate displayed 12 inches wide and
5 must be attached to each fishwheel so that
6 the registration number is plainly visible.

7 Would you like to amend it so the
8 operator's number would also be posted like
9 Gloria was suggesting?

10 MR. JOHN: Gloria suggested that?

11 MR. LOHSE: Yeah.

12 MR. JOHN: Operator's --

13 MR. LOHSE: Not just the owner's,
14 operator.

15 MR. JOHN: I'd like to add that
16 to have the operator's number.

17 MR. LOHSE: The current
18 operator's number be also posted. That's an
19 amendment. Do I hear a second on that
20 amendment?

21 MR. ELVSASS: Second.

22 MR. LOHSE: Seconded by Roy.
23 It's been moved and seconded that
24 along with the owner's registration number
25 the current operator's permit number would
be posted.

MR. JOHN: Question.

MR. LOHSE: Question has been
called.

All in favor, signify by saying
"aye."

The amendment passes. The motion
in front of us then reads: You do not have
to have your -- basically, I'll read the
thing and then we can vote on that.

You may not rent, lease, or
otherwise use your fishwheel used for
subsistence fishing for personal gain, you
must register your fishwheel with ADF&G,

1 your registration number must be permanently
2 affixed and plainly visible on the fishwheel
3 when the fishwheel is in the water. Only
4 the current year's registration number may
5 be affixed to the fishwheel. You must
6 remove any other registration number from
7 the fishwheel. You must remove the
8 fishwheel from the water at the end of the
9 permit period. You must operate only one
10 fishwheel at one time. You may not set or
11 operate a fishwheel within 75 feet of
12 another fishwheel. No fishwheel may have
13 more than two baskets. A wood or metal
14 plate at least 12 inches high by 12 inches
15 wide must be attached to each fishwheel so
16 that this registration number is plainly
17 visible and then the amendment we added is
18 the current operator's permit number must
19 also be attached to the fishwheel.

Does that sound good?

11 Any discussion?

Any other recommendations?

12 Fred?

13 MR. ELVSASS: I have one
14 question, excuse me. On the fishwheel, Roy,
15 do you get the same number every year?

15 MR. EWAN: No.

16 MR. ELVSASS: When you apply,
17 they give you a different number each year?

18 MR. EWAN: That's correct, as far
19 as I know. I might have gotten the same
20 number. I don't recall the same number.

19 MR. ELVSASS: You'd recall if you
20 were painting it.

21 (Laughter.)

22 MR. ELVSASS: Thank you.

23 MR. LOHSE: Okay.
24 Any other discussion?

25 MR. JOHN: Question.

1 MR. LOHSE: Question has been
called.

2 MR. EWAN: Mr. Chairman, I do
3 have a --

4 MR. LOHSE: Roy?

5 MR. EWAN: Not to -- I had a
question, that's to define the permanently
6 affixed sign has to be permanently affixed.
Could I have somebody tell me their
7 interpretation of that?

8 MR. LOHSE: Charlie, it's
permanently affixed, screwed on, nailed on?

9 MR. SWANTON: (Nods head.)

10 MR. LOHSE: In other words, it's
11 not just hung there?

12 MR. SWANTON: I think screwed,
wired, nailed, you know. You can
13 probably -- hung with plastic wires would
be -- you know, probably would be what the
14 enforcement would be looking for, but I
can't speak for those guys.

15 MR. EWAN: Thank you.

16 MR. LOHSE: In other words, you
17 can't just take it off and stick it on
another wheel?

18 MR. SWANTON: (Nods head.) That
19 is correct.

20 MR. LOHSE: Thank you.
Question has been called.

21 All in favor of the proposal as
amended, signify by saying "aye."

22 COUNCIL MEMBERS: Aye.

23 MR. LOHSE: All opposed, signify
24 by saying "nay."
Motion carries.

25 MR. LOHSE: Fred, can I ask you a

1 question? How long is your testimony going
2 to take?

3 MR. BAHR: I don't know. Maybe
4 it would be better after lunch if it's close
5 to lunch and knowing how long you guys have
6 been talking.

7 MR. LOHSE: It's close to lunch.
8 We can quit now for lunch and put you first
9 after lunch.

10 MR. BAHR: What time would that
11 be?

12 MR. LOHSE: Take a look at what
13 time it is now. I would say it would be
14 1:30.

15 MR. BAHR: Hi, Fred; Hi, Fred;
16 Hi, Roy. I'm a Fred too. Hi, Clare.

17 I look forward to having a
18 discussion with you. Thank you.

19 (Lunch break.)

20 MR. ELVSASS: Can I have your
21 attention, please? Our chairman, Ralph, has
22 to go to the pharmacy. He'll be a little
23 late coming back. He had to leave for a
24 little bit, and he'll be right back. Fred
25 John has to go get some more pain killers.
He'll be back too. We're going to stand
down a little bit until the guys come back.
I guess we'll have some testimony coming up
first.

Unfortunately, there's no coffee
or tea. I don't know what to tell you.
Enjoy the water.

MR. LOHSE: At this time, I'd
like to call the Southcentral Regional
Advisory Council fall meeting back in
session.

As stated before lunch, we were
going to allow Mr. Fred Barr to testify
after lunch.

Fred, you do know we've already
acted on the proposal you're testifying on,
don't you?

1

MR. BAHR: Yeah.

2

3

MR. LOHSE: Do you think you can limit your testimony to about 15 minutes?

4

MR. BAHR: I'll try.

5

I'd like to ask Charlie Edwardsen to join me since he's been with me on this. He happens to be very knowledgeable on the Federal laws, Charlie Edwardsen, Jr, with me. First of all I'd like to thank you to allow me to testify before you, Clare. We've met before '87, you and I. Roy, you're with Alute --

9

MR. EWAN: Ahtna.

10

MR. BAHR: Poor Fred, got ten teeth missing.

11

First, I'd like to make some comments on the priority that -- let me back up a little bit first. I'm an Alaska Native, a whaler. I was also Mayor of Noorvik. I live off the land. I know how to hunt. I know how to survive in the Yakutat way. I was trained by my Elders in Barrow as well as Northwest Arctic, and I've got 20 years in the Arctic.

16

But this proposal that we submitted, it was the commercial fisherman Steve Vaneke, the Ninilchik Tribe, which is a Federally recognized tribe and has -- what I understood to be a priority, and -- as I just kind of talked with you guys, I'm trying to understand what you mean by priority.

20

What does the word mean where you have a subsistence priority? I don't seem to connect with an act that was done in 1980 and 22 years late that we don't have a priority and we still don't have a priority. Although we all talk about a priority, so, I would like to have a little discussion about what you guys that represent us Natives in the Kenai -- I now live in Ninilchik, on Cook Inlet. I commercial fished 15 years down there. I halibut fished in '65. We subsistence fished back then when nobody

25

1 cared and, Fred, you remember that, Clare,
2 don't you remember before 1960s, before the
3 massive influx of America had really hurt
4 our resources. But back to the question of
5 priority, what does that word mean to you
6 guys? Ralph, maybe you can answer for the
7 Chair. Your definition of priority may be
8 different from mine.

9 MR. LOHSE: I don't know if this
10 is what we expected. We expected you to
11 testify on what we should have done on 11(b)
12 or 11(a), whichever ones you're dealing
13 with. Priority, to me, in times of
14 shortage, the priority is in the order of
15 who has the first priority, first use of the
16 game or fish.

17 MR. BAHR: Priority means first?

18 MR. LOHSE: Right.

19 MR. BAHR: So, in this essence
20 when I look at this map back onto that --
21 how about you, Roy, what's your view of
22 priority?

23 MR. EWAN: Mr. Chairman, I think
24 Ralph adequately described what priority is
25 all about, and that's in time of, I guess,
26 shortage, you give the subsistence user a
27 priority. That is my definition of priority
28 under ANILCA. You are provided by law to
29 give priority to the subsistence user.

30 MR. BAHR: All right. So that
31 only kicks in --

32 MR. EWAN: That doesn't apply --
33 the State does it a little different. You
34 know that.

35 MR. BAHR: I understand the State
36 was removed from the subsistence issue by a
37 Federal court order because of their lack of
38 abiding by what the subsistence issue was;
39 is that correct?

40 MR. EWAN: I don't know if I
41 understand you're correct.

1 MR. BAHR: That the 9th Circuit
2 removed the State from management of
3 subsistence users for Natives because they
4 refused to give us our subsistence priority;
5 is that correct?

6 MR. EWAN: You're asking me?

7 MR. BAHR: I'm talking to you,
8 Roy. I'll ask everybody -- you all
9 represent the same Board to me.

10 MR. EWAN: I don't know
11 specifically that way, but that is one of
12 the reasons, yes.

13 MR. BAHR: What I'm trying to get
14 is a base ground here to where I can give my
15 views of what you should have done with my
16 proposal and the rest of them, Ralph, and
17 understanding -- of course, I do understand
18 the resource, the tremendous impact on the
19 resource of fish in Cook Inlet. I don't
20 think any of you can argue that it's a half
21 a billion dollar industry now, and when I
22 looked at the map -- and I came to your
23 subsistence office -- if any of you guys
24 have this map, maybe you can follow me.

25 On this map is -- everything in
white is State and the Federal Board signed
an agreement with the State that now the
State Government has removed the State's
contention that this -- that they remove the
subsistence users from Cook Inlet, and I'm
talking specifically about Cook Inlet. I'm
not talking about the North Slope or
Northwest Arctic. We don't have this kind
of --

MR. LOHSE: Could you speak to
the Chair, please?

MR. BAHR: I see a lot of my
friends here.

What I have found is that you
have effectively moved the purpose of that
law of giving Natives priority in Cook Inlet
by this illegal agreement with the State --
I know it's not up to you guys. I just want

1 to bring it up to you because, in essence,
2 none of us are in the law without that first
3 priority in place; is that correct? Because
4 of the commanding statute of ANILCA and
5 there's a bunch of others -- I even have the
6 international laws that the Congress passed
7 for the U.S. about the rights of
8 subsistence, our right to do subsistence.
9 So what I'm looking at here is it took me
10 two years to get on your agenda after we
11 submitted, following your rules; and it was
12 stopped because of the Sierra Club and
13 Sports Fisheries Association out of Coopers
14 Landing stopped my priority for subsistence.
15 And then at the time, in your
16 regs at that time said subsistence didn't
17 include salmon, halibut, trout, everything
18 that we as Natives know -- you know, you
19 know. And, Clare, I'm not sure about you,
20 but you know that we live off our fish and
21 our moose and the animals traditionally. I
22 don't think there's a question on that one,
23 is there?

24 MR. LOHSE: As far as -- remember
25 one thing, ANILCA doesn't apply just to
Natives. It applies to rural residents,
Native and non-Native in the State of
Alaska.

MR. BAHR: I'm recognizing that
under ANILCA. We still don't have the
priority. Whether Native or non-Native. We
have not be given a priority since 1980
since the act was invoked and passed by
Congress. I'm upset about that because I'm
coming to you two years after I submitted a
proposal to go subsistence fishing and
hunting. It's still -- although I agree
with part of what you've done here, you have
included these fish that astounded us that
didn't come up under subsistence. They do
in Arctic, but they don't do it where a half
a billion dollars is made by America.

We as Natives are left out of
them. Fish other than them is crossed out.
I appreciate that move with your guys. With
the understanding as we do on subsistence
and the priority, it's also astounded me
when I think about it, that sports fishing

1 lodge, tourists were given a priority over
2 Alaska Natives and now in Cook Inlet it's
3 unfortunate that 1100 halibut fishery
4 charters hate Alaska Natives and they're
5 very blunt about it because we are their
6 fare that they're going to get booked out.

7 On the other hand, when I look at
8 what you've done, subsistence priority is on
9 the back burner, has been.

10 The agreement with the State and
11 Fish & Game when Governor Knowles was their
12 Commander in Chief comes up to Noorvik and
13 tells us we are going to support 100 percent
14 subsistence, and then as I move back down to
15 Cook Inlet and find out that the subsistence
16 issue has been totally shelved by this
17 agreement where you have all these tribes,
18 including yours, Fred, and Clare Swan, are
19 actually unallowed to do any subsistence
20 fishing.

21 The aboriginal rights of Alaska
22 Natives preclude ANILCA, and I don't think
23 there's going to be a lot of problem with
24 that in court because of our aboriginal
25 rights; but on the other hand, when I look
at what you as an Advisory Board, if it was
the priority for Native subsistence, the
language in here would be to invoke this
subsistence for the Natives first and get on
that; and instead of -- instead of --
supporting a full-fledged subsistence
priority, fishing is the priority that we as
Natives see because of -- and I don't think
you can question this either when you look
at the king salmon run in Cook Inlet. You
look at the king runs; you look at the
silver runs; you look at the herring runs;
they're all depleted. I see it as a person
of -- that lives off the land and
understands it and was there back in the
'60s when we used to have six, seven, eight
million runs. We used to have 250,000
kings. Now we're down to 20,000 and you
don't see them anymore. You see rivers
empty. And so, I don't know if the priority
kicks into place after the fish are gone
which seems to be -- and I'm talking the
sports fishing lodges all over Kenai and
they've had a bad year and haven't caught
fish, are losing business because they're

1 not there.

2 And so when you look at the --
3 whether you guys should stand up strong and
4 invoke the priority because when you look at
5 Fish & Game and ask them -- excuse me, let
6 me just click this off.

7 When you look at the effect of
8 what you've done or lack of doing, in fact,
9 Fish & Game, there's seven or eleven species
10 of salmon that are extinct now because of
11 management of Fish & Game. The moose
12 population also is another issue down there,
13 the Niniichik Tribe, the Fish & Game, the
14 Federals are actually trying to manage their
15 own moose population because it hasn't been
16 supported by Fish & Game. I'm not here to
17 beat up on Fish & Game or you guys. I'm
18 here to tell you that we as Natives have
19 been mishandled, misused or abused by your
20 Board and the Supreme Board, I guess,
21 although you guys don't hold any legal
22 standing in corporate, as I do, as an
23 aboriginal Native. I have legal rights to go
24 to Federal Court to stand up for my
25 subsistence, and I'm going to do that.
Black robe justice isn't my idea of how we
as Alaskans should work together. I'm here
to explain that there are those of us who
understand the law we have been abused by
who you chose to work with -- I haven't
received one bit of paper from you. When I
got -- DEC, I got millions of dollars as a
grant writer. When I deal with other
people, I get a call or piece of paper or
communication. In this case, there was
absolutely nothing.

19 There was -- when I look at our
20 people, in fact, Kenaitzes when we're down
21 there, I'm the one that did the eagle
22 paperwork that we did for subsistence
23 fishing we did in '87 and we were totally
24 cloaked in Federal law and Federal permits
25 and Federal I.D.s and Federal conservation,
and when they came to stop us and I think,
Clare, you were there and turned down the
subsistence battle. In fact, you got quite
irate. Then I found out you were a
commercial fisherman making a half a million
a year, I can understand it. At the same
time I looked at your tribe and the Indians

1 and Natives down in Cook Inlet. They're the
2 poorest people on the block. Subsistence is
3 a real issue. It's not just a feed of
4 salmon or two. What I'm looking for, Ralph,
5 your actions or inactions have caused real
6 harm to people. I'm talking about Alaska
7 Natives because of the priority -- the
8 priority is not the priority politically.
9 The priority politically is to keep us out
10 so that the sport fishing and the \$200 Fish
11 & Game gets from a king tag and a halibut
12 tag continues.

13
14 MR. LOHSE: Fred?

15
16 MR. BAHR: What I look at -- what
17 I would like you guys to do with this
18 proposal and be honest with us and stand
19 behind it 100 percent, say we demand that
20 you guys give these guys subsistence
21 priority and we'll sit down if you -- with
22 you and come up with a plan together, as we
23 should as Alaskans, as first Alaskans. You
24 may have been here 40 years. Those that
25 have been here 40 years, love Alaskan
Natives. They lived off the land back
there. These newcomers that are coming here
for the money, by golly, if you wore my
skin, wore my shoes, you'd see it yourself.
It didn't surprise me when I heard the folks
in Copper Center didn't want to get the
names on the fishwheels because they might
get attacked, kind of gives you the
impression, because of this lack of inaction
and indefinite rules and -- that is required
to protect our rights, we're leaving it up
to a Federal management board made up of
everyone using the resources. It makes it
when I look at what I'm talking to, but the
Federal Board, in essence, that we are
not -- we are not the priority.

26
27 MR. LOHSE: Fred, first of all,
28 who you're talking to, you're not talking to
29 anybody that makes any rules. You're not
30 talking to anybody that sends out any
31 papers. You're talking to individual
32 citizens who are an Advisory Council. We
33 are not an Advisory Board. We deal with

1 things that are put on our plate. We deal
2 with them the best that we can deal with
3 them.

4 Now, you came to testify on 11(a)
5 and 11(b). And all of the rest of it. Now
6 you have to be real careful what you're
7 doing, what you're doing in some cases, you
8 attacked members of our Council that are
9 sitting up here. You've attacked staff.
10 You've attacked the general public. What we
11 want is we want testimony on 11(a) and
12 11(b). Tell us what you thought we should
13 do. Tell us how you think we should have
14 handled it, and stick to that because, you
15 know, I don't mind -- I've listened to a lot
16 of rhetoric. I've listened to a lot of
17 things in the past, but I don't like it when
18 you attack a member of my Council. I don't
19 like it when you attack my staff who don't
20 belong to me, but who work hard for us, and
21 if you want to do what you're doing, the
22 persons you need to go talk to is you need
23 to go talk to the Board who makes the
24 regulations, who makes the laws. We don't
25 make regulations. We don't make laws. What
26 we do is we take the proposals that are in
27 front of us and as a group we try to see how
28 can we work these so that they meet the
29 needs of rural Alaskans to the best of our
30 ability within the conservation concerns and
31 the other concerns that are around us, and
32 we don't need to take, you know, this kind
33 of stuff.

34 If you want to speak to this
35 proposal and not speak to or against members
36 of the Council, you may speak to this
37 proposal. If you haven't got anymore to say
38 on the proposal, I'd appreciate it if you
39 sit down.

40 MR. BAHR: Now, I do. Although I
41 understand -- I commend you for protecting
42 your friends there. I'm talking facts. I'm
43 not protecting anyone; I'm talking facts.

44 Okay. Let's get to the proposal.

45 MR. LOHSE: 11(a).

46 MR. BAHR: I was very frustrated
47 because of the two years I had to wait

1 because of the people that are not
subistence.

2 Let's talk about the facts. When
you look at this here, I don't see -- I
3 don't really see implication time or I don't
see that this is a priority, should be a
4 priority here to give this one support. I
guess you just give your voice support to
5 the Federal Board and then the Federal Board
takes it one way or the other.
6

7 MR. LOHSE: That's right.

8 MR. BAHR: Because of your middle
of the ground approach to this, then -- then
9 you just come here and make all this paper
and then submit it to them and you're stuck
10 with it. Is that correct? Is that what
you're telling me?
11

12 MR. LOHSE: We're not stuck with
it. What we have to do is we deal with the
paper that comes before us. We take a look
13 at the proposal that's put on the table and
we try to work to meet the priority to the
14 best that we can do inside of what's given
us, inside the information that's given us.

15 Now, what information do you
think that you can add to 11(a) or 11(b)
16 that would cause us to reconsider the action
that we did on 11(a) or 11(b)?
17

18 MR. BAHR: What I would suggest
is you put a strong letter with it of
support that this needs to be dealt with and
19 implemented immediately. That you also put
a strong letter of communication with us
20 down there in Ninilchik so that we can start
the process, because you need a conservation
21 plan, and how we're going to take our
subsistence priority into full use. I think
22 you need to put in here something to the
effect that it is noted that the fish quotas
23 and the fish that are coming in the Cook
Inlet are now depleted and that the first
24 priority should be instituted.

25 So those are specific things that
I don't see in here and maybe you're not
aware of it and Fish & Game can come and

1 talk about that. But those are two of the
2 three things that I would like you to put in
here.

3 MR. LOHSE: Could you read your
4 proposal to me once?

5 MR. BAHR: The one I have here is
6 11(a), 14 executive summary. Is that the
one we're talking about?

7 MR. LOHSE: Read your proposal as
8 you put it in.

9 MR. BAHR: I don't have my
proposal that I put in.

10 My proposal was to give all the
11 fish that we subsisted on and use first
priority to go get them to feed and clothe
my family. That was my proposal.

12 MR. LOHSE: How did it read?
13

14 MR. BAHR: Back two years ago,
simple, I want all the fish available, not
15 excluding the salmon that you guys excluded
in that release, and now you've changed it
16 which I'm real happy about, but I would like
to have added on to this. The way you've
17 written this, is those that are addendums of
declaring that Cook Inlet is a depleted
18 fishery.

19 MR. LOHSE: That's not in our
20 position to do that.

21 MR. BAHR: Then what good are
you?

22 MR. LOHSE: That's a good
23 question.

24 MR. BAHR: I'm serious. When you
25 took this job, what was -- that's not my
business. My business is to get this
proposal instituted and implemented under

1 the first priority with a depleted fish
that's going on. I'm not here to try to
2 hide that fact from everybody because I live
there. I see it. You talk to the
3 commercial fishermen on the other end. They
didn't catch no fish either. They all went
4 broke.

5 So, what we have here is the late
run trying to get you guys to support us to
call it a depleted fishery. I don't
6 think --

7 MR. LOHSE: The proposal didn't
ask us to call it a depleted fishery.

8 MR. BAHR: Right, but it did ask
9 you for subsistence. I'm asking you to do
that in person now.

10

11 MR. LOHSE: But that's not what
we dealt with.

12

13 MR. BAHR: That's not what you
can do?

14

15 MR. LOHSE: That's not what we
dealt with. We dealt with the proposal as
it sat in front of us. For you to come and
16 ask us to do something else, and at the same
time say we didn't do our job, what good are
17 we -- we dealt with what you put in front of
us, and we dealt with it to the best of our
18 ability.

19 Now, if you've got something that
you can tell us to cause us to change what
we did, I'll give you five minutes.

20

21 MR. BAHR: I'll try again.

22 First the priority institutes
when there's a depleted fishery, right?

23 Am I right, Roy? Isn't that what
you just said?

24 When the depleted fishery hits,
the first priority hits, all right.

25 I'm really thankful, Ralph. I'm
not mad at anything here. I am stating my
mind. I have a right to do that, but I
really do appreciate you putting in the fish

1 in Cook Inlet that we are now allowed to
attach what we asked for for subsistence.

2 What I do ask and very clearly
that you -- what you've done here, take it
3 one step further, and ask the Federal Board
to institute this immediately so that we as
4 Natives are allowed to subsist in Cook Inlet
because we're not allowed to now.

5 Basically, that's the whole
premise of my discussion with you, Ralph,
6 and Roy, or Fred. Clare, sorry about Fred's
teeth, but when I look at it, those -- that
7 is what needs to be instituted now to
fulfill the law so that the priority is
8 recognized, not talking about -- not
rhetoric, not -- it's been -- we've heard it
9 like you, Ralph, for 20 years, so, I would
request that you add that, that this is a
10 depleted fishery and that the first priority
for Ninilchik residents and Ninilchik have
11 that first priority for subsistence and we
move down the road together, so we can
12 implement it together. We're all down the
road. It's a failure. I'm sorry that
13 you're the first one I talked to. I'll try
to get to the Federal Board, but you
14 represent subsistence to me, this Regional
Advisory Board for Central. That's why I'm
15 here. Whether it comes on the paper
shuffle, I'm talking about real people
16 needing real fish, needing to feed their
families and clothing them and needing their
17 first priority, okay?

18 MR. LOHSE: So, your statement is
that the fish are depleted?

19

20 MR. BAHR: Absolutely.

21

22 MR. LOHSE: That needs to be put
on the agenda -- I can't take your word --

23

24 MR. BAHR: Absolutely not. I
live there and fish there every day and see
it, okay?

25

MR. LOHSE: That's --

1 MR. BAHR: I'm on the spot. I
live on Cook Inlet. I watch the runs. I
2 have commercial fishermen. I have sport
fishing lodges, and I have the guides. They
3 all say the same thing, whether you can take
it from me or not.

4
5 MR. LOHSE: May I make a
suggestion?

6 MR. BAHR: Yes.

7
8 MR. LOHSE: Put a proposal or
statement in that you wish to have the runs
declared depleted and get that before the
9 Subsistence Board so they can act on that.
We can't do that, but you can do that.

10 MR. BAHR: As an Advisory Board.

11 MR. LOHSE: Can you add the other
addendums? There's no public notice.
12 They're not on the table, so put them on the
table.

13
14 MR. BAHR: Can I ask you one more
small question?

15 MR. LOHSE: Yes.

16 MR. BAHR: What is a depleted
fishery for you guys that deal in fishery
17 business?

18 MR. LOHSE: I don't deal in the
fishery business that way. I am not capable
19 of making a judgment on whether a fishery is
depleted or not.

20
21 MR. BAHR: No information comes
to you from anybody, I'm the first one?

22
23 MR. LOHSE: Ann?

24 MS. WILKINSON: I was going to
suggest, Mr. Chairman, that this is
information you can get from staff. And
25 that he should do so now. Not the table,
but with staff later.

1 MR. LOHSE: I mean, I'm not
2 capable of sitting here at this table today
3 and saying, yes, we're going to write a
4 letter because the fishery is depleted
5 because you said so.

6 MR. BAHR: All right. Then let's
7 rephrase that and ask that you look into it
8 and when you do get confirmation from the
9 rightful sources then I ask you to please
10 let me know. How is that? Ask that maybe
11 you make a few phone calls with all these
12 people you deal with, that I don't deal
13 with. You are who I come to for
14 subsistence. Now, looking at it from having
15 been there off and on for 50 years, whether
16 you take mine or not, but at the same time,
17 I don't think it's a real issue that I'm way
18 off base on, but at the same time I would
19 ask that maybe you look into it.

20 I'll definitely send a proposal
21 to Federal Fish & Game. I do ask and I
22 thank you for the changes that you've made
23 here to allow us to at least go after those
24 fish, whether we will get to is determined
25 before nobody gets them is a question that
26 is between my mind, because it's taken you
27 22 -- not you, Ralph, but the government and
28 the different agencies in charge of this, 22
29 years and still haven't done it.

30 Basically, that's the bottom line
31 here when I look at it.

32 And I know we're all Alaskans,
33 and that we're all in this together, and I
34 really hope that down the road that we
35 are -- and you guys are sitting here will
36 stand up and be counted for what's the
37 truth, the reality of the fisheries, and the
38 damage that we can correct together, and
39 work together.

40 It's either that or black robe
41 justice, and you know how that goes. It's
42 ugly.

43 With that, I'll take your advice
44 and submit that proposal, Ralph. And don't
45 feel that I'm antagonistic and attacking.
46 I'm referring to actual facts, and facts
47 sometimes go either way.

48 So, with that I appreciate your
49 time and you haven't heard the last of me

1 because my people are hurting very bad, and
the sport fisheries are hurting, the
2 commercial fisheries are hurting, and it's
because nobody stands up and says, by God,
3 we've got to stop this or my kids or my
grandkids aren't going to see any fish.
4 That's how serious it is. At the same time
I ask for your support because you do
5 represent subsistence fisheries for the
Natives, and I see Natives sitting here that
6 you guys stand up for what's right and get
behind what the priority really means.

7 With that, I thank you and I
will, Ann, get back with you, and with that
8 thank you for your time.

9 MR. LOHSE: Thank you.
Do you have something you'd like
10 to say?

11 MR. EDWARDSSEN: I'd like to add
to that area beyond the three miles to the
12 200-mile zone, okay. A lot of our people --
are pelagic people, you know, and so their
13 subsistence access to the black cod is not
just within the three-mile limit, and we
14 need subsistence protection on all of the
species beyond the three miles for priority
15 allocation as well, and one should not be
blind.

16 MR. LOHSE: Thank you.
17 Okay. With that, we finished our
proposals and we are going on to the review
18 of proposed fishery monitoring projects for
fiscal year 2002. Tab F in your book.
19 Everybody got Tab F?

20 MR. MCBRIDE: Mr. Chairman?

21 MR. LOHSE: Yes.
22

MR. MCBRIDE: Just while we're
23 waiting, actually it's Tab E in the book,
but the presentation is going to cover some
24 material that's not in the book, and this
morning I placed several reference materials
25 on the back table, so it might be helpful
there for just a minute if people want to

1 get them and the Board members have all of
2 them. If you want, I'll go through exactly
3 what they'll be looking at.

4 MR. LOHSE: Everybody ready?
5 Okay.

6 MR. MCBRIDE: Mr. Chairman,
7 members of the Council, my name is Doug
8 McBride. I'm with the Office of Subsistence
9 Management Fishery Information Services, and
10 what we're going to be discussing next is
11 the Fishery Resource Monitoring Program.
12 That's the program where we're collecting
13 information to supplement existing
14 information for management of subsistence
15 fisheries. I actually have two
16 presentations that I'm going to be giving
17 you today, and as I say, there are some
18 additional materials that are not in your
19 book. The first presentation which will
20 take no more than ten minutes, then we can
21 discuss the contents of that, is on the
22 fishery resource monitoring program and it's
23 the progress report for the program that has
24 already been funded. What I'll be directly
25 speaking to is this handout that's entitled,
26 Progress Report for Cook Inlet/Gulf of
27 Alaska Region, and these are simply talking
28 points for my presentation and is reference
29 material for your perusal. Either now or
30 later are these two documents. The green
31 one is on the Cook Inlet/Gulf of Alaska
32 Region. It contains an executive summary,
33 an individual summary of the existing
34 program, and then this blue document is on
35 the inter-regional program. I'm not going
36 to talk about the inter-regional program in
37 my presentation. That's simply for your
38 reference. If you have questions about it,
39 I'm available to answer those. What I'm
40 speaking to you about right now are simply
41 the talking points of this handout that's
42 titled Progress Report for Cook Inlet/Gulf
43 of Alaska Region.
44 Again, the purpose of this part
45 of the presentation is to report on
46 progress, projects that were funded in each
47 of the last two years, in fiscal years 2000

1 and 2001. It's going to present the
information summarized in this green
2 document. It's not in the Council book.
And the reason it's not in the Council book
3 is because a lot of this work is actually --
some of these projects are actually
4 happening as we speak; and for that reason,
it simply wasn't possible to make a
5 production possible of this book.

The agenda for the next several
6 minutes -- first of all, I'm going to give
you a brief background on the Fisheries
7 Monitoring Program. We'll briefly review
the issues and information needs as they've
8 been defined by both the Council and the
Board for this region. Then we'll go
9 through the Fishery Resource Monitoring
Program for this region, the projects that
10 have actually been funded and where we're at
on those, and following this presentation
11 and discussion, I'll make a presentation on
the recommendations for the new work in the
12 year 2000.

As far as backgrounds for the
13 Fishery Resources Monitoring Program, again,
the entire objective of this program is to
14 gather and improve upon the essential
information needed to manage subsistence
15 fisheries. As far as the financial end of
things on the statewide basis, the Fishery
16 Resource Monitoring Program was initiated in
the year 2000 and approximately \$2 million
17 were put into the field for projects that
first year, and you need to remember from
18 discussions we had in the past when we
implement programs we allow up to three
19 years or funding up to three years of a
project. So, out of that first year 2000
20 program, the total of \$4 million will
actually be spent; 2 million in the first
21 year and then the remaining 2 million over
the next two years.

22 Then if you remember last
February, we had a special meeting when all
23 the Councils came into Anchorage and we
discussed the year 2001 projects, and that
24 was a much larger program, and that's what's
envisioned as the full program, a little
25 over \$7 million was allocated to start that
program, and those were projects that were

1 just started this year. Again a lot of
2 those projects will go out three years in
duration.

3 If you go to the fourth page in
the handout, you'll see a graph, a bar graph
4 that looks like this, and this is just a
visual representation of what I talked
about; and, again, this is on a statewide
5 basis. I don't know about you, but for me,
I deal with pictures better than I deal with
6 words. All we're trying to get across here
is the financial end of the program. So if
7 you look at this bar graph, the first thing
you'll see are the three lower -- these real
8 dark bars in each of the first three years
and these are years going across the bottom.
9 In year 2000, the \$2 million I talked about,
that's the first black bar and then the
10 commitments for that program are those black
bars in each of the next two subsequent
11 years.

12 Then if you go to the second bar,
year 2001, you see the whole bar jumps way
up. The reason for that is because there
13 was the commitments from year 2000 which is
at the very bottom part of that bar there,
14 and then the \$7 million that we allocated
last year statewide, that's what that is.
15 And then the commitments from that \$7
million program, 2001, that's the same gray
16 bar in each of the two following years.

17 So, we are coming up now on year
2002 and we're talking about new work, and
we have \$7 million, plus the very tail end
18 of the money from year 2000, okay, but we
have a commitment from last year, that's
19 what this gray part is, and so in that bar,
the next piece up has a number in it, and
20 that number is 2 comma 064. That means
\$2,064,000. That's how much money is
21 available for new work in 2002 statewide.
I'm going to end up giving you
22 recommendations that will follow -- you see
those numbers in each of the next two years
23 after that. That's what those -- that's
what those parts of the bar are. But this
24 part of the presentation is about the
program that's already been funded, so it's
25 these black bars plus the gray bars, okay?

Again, for this reason.

1 Mr. Chairman, is that --

2 MR. LOHSE: What are the bars
3 above the numbers? Are those just -- those
4 aren't committed? Those are hoped for or
5 something like that?

6 MR. MCBRIDE: Well, if you look
7 at year 2002, the bar above the number, what
8 that actually is, that's partnership
9 program, Fishery Partnership Program, and I
10 believe Steve Klein and Carl Jack will be
11 speaking on that later in your agenda, and
12 then the rest of that is -- are commitments
13 that are likely to come up or the amount of
14 money for 2003, and then this large clear
15 bar here is what we anticipate for new work
16 in 2004.

10

11 MR. LOHSE: Okay.

12 MR. MCBRIDE: It's basically a
13 visual representation of the accounting
14 system that's going on.

15 Also, before I get into reporting
16 on the progress, I wanted to just briefly
17 cover how the Fishery Resource Monitoring
18 Program is administered. The Fisheries
19 Information Services, which, again, is a
20 shop within the offices of subsistence
21 management and provides the oversight for
22 this program. The FIS staff provides
23 assistance during both project planning and
24 implementation, and the report of progress
25 that I'm going to give you when we wrote all
the cooperative agreements with all the
contractors from the program, we stipulated
progress records that were due on September
1 of this year. So, again, that speaks to
why we were unable to put that progress
report in this book. It just didn't work
out with the production schedule and the
timing of this meeting.

23 The next thing I just very
24 briefly want to touch on are the issues and
25 information needs that you in large part
helped to define for this region. The
handout I'm talking about is the one that
looks like this, this is one that we've

1 discussed before. The issues and
information needs for this region are
2 defined by both the Council and the Federal
Board, and in the past, the issues that you
3 have identified, they're fourfold issues
surrounding the Kenai River, issues
4 surrounding improving salmon assessment of
the Copper, in Prince William Sound, issues
5 surrounding improving capacity building
among the Copper River communities, finally
6 improving and understanding burbot and
steelhead in the river. Those are things
7 that we've defined from what you've told us
what is important from the Federal
8 proposals.

The Federal Subsistence Board
9 also helps to identify issues. The two
major themes that come up before the Board
10 has been the reconsideration for the rural
determination for the Kenai Peninsula.
11 That's been something that's very much
guided, project selection and
12 recommendation, and finally just Copper
River chinook and sockeye salmon issues
13 which we spent the last day and a half
dealing with.

14 What I'm going to do is get into
a very brief report of the progress of the
15 programs in the Cook Inlet/Gulf of Alaska
region; and, again, that region is -- it's
16 actually very similar to the region that you
cover, includes just what it says, Cook
17 Inlet, Prince William Sound, and the Copper
River.

18 In the last two years, we've
implemented a total of 11 projects. These
19 11 projects are a mixture of two basic types
that we recognize. One is called "Stock
20 Status and Trends," and those tend to be
projects that assess fish stocks, projects
21 like weirs, like tagging projects, like
survey projects, basically anything that's
22 looking primarily at fish abundance, fish
composition, those kinds of things.

23 Then there's another category of
project that we call Harvest Monitoring or
24 TEK, Traditional Ecological Knowledge.
Harvest Monitoring of fishery systems and
25 projects that deal with the collection and
understanding of traditional and ecological

1 knowledge.

2 The other thing I'd like to real
3 briefly point out is that these projects are
4 in the public eye. In your packet I've got
5 a -- a page that looks like this, but two of
6 these projects actually made it into the
7 papers in various communities. One of the
8 projects that was funded was a project
9 dealing with hooligan in Turnagain and it
10 was in the Anchorage Daily News in the past
11 year. Then there's a very large project
12 that's administered by the Native Village of
13 Eyak dealing with king salmon and they have
14 a newspaper that covered a lot of that. So,
15 as I say, several of these projects are
16 definitely in the public eye and coming out
17 in the public media.

18 The next thing I'm going to speak
19 to in that packet is this table. It's the
20 same table that appears in this book, and
21 all this is just a listing of the projects,
22 the amount of money that's associated with
23 them that have been funded already. And if
24 you look at that table, which is called
25 Table 1, just going from left to right,
there's a column there that says FIS number.
That's just simply our accounting system so
we can keep track of these projects and have
a unique number. Then we have the data
type, SST, which is Stock Status and Trends,
or TED, Traditional Ecological Knowledge,
that categorizes each of the projects, the
name of the project, the primary
investigators of that project, and then the
money associated with that project, and you
can see on the money end which is over on
the far right, a lot of projects go on for
three years. And, again, these are projects
that were initiated either in the year 2000
or just this last year in 2001.

Now, when you look at the spreads
of those projects, most of them are grouped
under the top heading, which is called
Copper River salmon, and most of the
projects and most of the money have gone
towards issues dealing with Copper River
salmon which is not a big surprise. And
there's both stock status projects and
harvest monitoring TEK projects.

If you move down the table, there

1 are two projects that are associated with
2 Copper River steelhead, a single project
3 that's associated with Prince William Sound
4 salmon and then we had funded two projects
5 in Cook Inlet. So what I'm going to do next
6 now is just very briefly touch on each one
7 of these projects and give you a report of
8 progress on those projects.

9 I'm just going to take it from
10 the top and go right down the table.

11 Dealing with Copper River salmon,
12 we funded a small project to actually put a
13 weir in Tanana Creek, which a tributary to
14 the Copper River which is the stream that is
15 immediately or right at the Batzulnetas
16 Subsistence Fishery. That project in the
17 first year was not successful, the weir blew
18 out. However, this past year the
19 investigators came up with a new weir
20 design. They installed it in the creek,
21 successfully held it. In fact, I went to
22 that project, and I would suggest that weir
23 would hold in just about any conceivable
24 water for that Creek. They successfully ran
25 the project this last year and they will run
it again in 2002 which will be the final
year of funding commitment for that project.

The other thing I'm going to
touch on with each one of these projects is
at least give you our initial assessment as
to whether there should be a future for some
of these projects. In other words, should
you consider and should we consider trying
to fund them beyond three years. This one
that I think ought to be considered for
funding on into the future, it's estimating
a small salmon stock for which there is a
lot of concern that directly feeds a very
important subsistence fishery and getting a
longer time of information than three years
might be a rational approach on it for the
future.

The next project -- another
project that was started in the first year,
in 2000, the Miles Lake sonar improvement,
that's one of the projects that's actually
happening as we speak. We provided money to
improve the substrate for the sonar at Miles
Lake which is the major salmon assessment
project for Copper River salmon. There was

1 actually a budget shortfall for that
project. When they actually put it out to
2 bid with the contractors -- what they're
doing is they're pouring concrete to put the
3 sonar substrate on, the bids came in higher
than what was expected. However, I am happy
4 to report, Fish & Game actually covered the
budget shortfall out of some other funds;
5 and as I say, that work is actually ongoing
as we speak.

6 The next project is Project 20.
Now this is a project that was funded just
7 this last year. It's one of the ones we
talked about in February, Copper River
8 chinook salmon abundance project. It's a
very large project. And what it's doing is
9 looking at the feasibility of using
fishwheels to capture chinook or king salmon
10 for tagging and trying to estimate the total
abundance of king salmon in the Copper
11 River. This project is actually being
conducted by the Native Village of Eyak, and
12 this is one where we had a tremendous amount
of success this past year. It's trying to
13 do it in a very different way. They've put
fishwheels down in the Lower Copper River,
14 down at Baird Canyon. They've built some
incredibly large number. Then they put a
15 weir down there. They caught about 900 king
salmon, which is a significant number of
16 king that came up the Copper River. That
Project is very much on track from what was
17 originally envisioned, and it's going to be
expanded this year to include an upriver
18 capture site.

19 There are some issues with that
process, we're in the process of dealing
with that I think, those are very
20 achievable.

21 MR. EWAN: Mr. Chairman, can I
ask a question? There is a project for
22 monitoring chinook escapement. How far up
are you talking about escape? I would say
23 I'm about half -- close to halfway up the
river, Copper River escapement from where?
24

25 MR. MCBRIDE: Yes, sir. It's
actually escapement into the Copper River,
past the commercial fishery is what it would

1 do, and it's marking fish in Baird Canyon,
2 which is several miles above Miles Lake
3 sonar, but it's well below any spawning
4 locations and it's also well below any
5 upriver fishing. So, it will be estimating
6 total abundance of king salmon in the Copper
7 River past the commercial fishery.

8
9 MR. LOHSE: Could you tell
10 everybody what kind of tags they were
11 putting in the salmon there?

12
13 MR. MCBRIDE: They did some
14 tagging this year. Their primary purpose
15 was to try to make sure they captured enough
16 fish. The tags they're putting in are
17 spaghetti tags, long pieces of plastic.
18 They have numbers written on them and then
19 the identification is who is doing it.

20
21 MR. LOHSE: Did they use any
22 radio transponder ones?

23
24 MR. MCBRIDE: No, they didn't
25 this year. In fact, when we get to the 2002
recommendations of projects for
consideration for new work, I'll just go
ahead to the project we're recommending, a
radio tagging project that we'll add on to
this project. It will supplement that
effort.

26
27 MR. LOHSE: One last question.
28 Do you know if any of the tags were
29 recovered?

30
31 MR. EVANSON: None of the actual
32 tags were recovered. They marked a number
33 of fish with thin clips and punches that
34 were recovered at the -- my name is Matt
35 Evanson. I'm with the Department --

36
37 A SPEAKER: Come to the table.

38
39 MR. EVANSON: Mr. Chairman, Matt
40 Evanson, Department of Fish & Game, and
41 we were operating a chinook salmon

1 assessment this year in addition to the one
2 that the Native Village of Eyak was running
3 this year. We were sampling the Glennallen
4 Subdistrict and Chitina Subdistrict
5 fisheries. I don't believe I have the exact
6 number of how many they marked. I think it
7 was 3 or 400 marks that they gave a thin
8 click or punch to. Of those we recovered
9 about four from the Glennallen Subdistrict
10 Fishery, and three or four from the Chitina
11 Subdistrict Fishery.

12
13 MR. LOHSE: Thank you.

14
15 MR. LINK: My name is Michael
16 Link. I'm with LGL in the Native Village of
17 Eyak. I wanted to clarify, we didn't put
18 actual tags. We were putting small hole
19 punches in the gill of the fish. I think we
20 did 2 or 300 fish, just in case for the
21 record it wasn't like there was 400 marked
22 or tagged fish and none were subsequently
23 captured.

24
25 MR. LOHSE: Thank you. Sorry to
26 have misinterpreted you.

27
28 MR. MCBRIDE: I'm sorry to have
29 misunderstood the question. Ultimately they
30 will be putting tags on the fish. The
31 primary point this year -- the primary
32 question is is it feasible to capture fish
33 in the river. The point of this is build
34 the fishwheels, get them down there, and see
35 if they can actually capture fish.

36
37 MR. ELVSASS: I have a question.

38
39 MR. LOHSE: Yes. Fred?

40
41 MR. ELVSASS: On the funding, are
42 we talking in hundreds or thousands here?

43
44 MR. MCBRIDE: I'm sorry, those
45 are in thousands. So if you look at that
46 table, the very first number on there,
47 abundance of type of salmon; 50, it's
48 \$50,000. Put three zeros after every one of

1 those numbers, 55 means 55,000. 44 means
2 44,000. Actually add two zeros.

3 MR. ELVSASS: Fishwheel, \$300.
4 That's kind of more than just the wheel.
5 That's the program as a whole, then --

6 MR. MCBRIDE: (Nods head.)

7 MR. LOHSE: Roy?

8 MR. EWAN: Mr. Chairman, I have a
9 question, because you mentioned tag, what
10 the regulation says about that. Is it a
11 requirement that you turn them in? I don't
12 know who could answer that. I'm just
13 wondering if some people are throwing them
14 away or what's going on.

15 MR. MCBRIDE: Mr. Chairman, Roy,
16 no, there is no requirement. There is no
17 legal requirement for anybody to turn a tag
18 in. Ultimately, the way the project will be
19 run is there will be people tagging the fish
20 and then actively recovering the fish either
21 through their own sampling, either through
22 their own fishing efforts or by actively
23 sampling fisheries, perhaps such as yours,
24 further upriver. But there will be people
25 actively looking, not only for tagged fish,
but then the total number of fish -- they
have to examine, you know, both tagged and
untagged fish to make the estimate work.
They'll be actively looking for them. It
won't just be a voluntary effort to turn
tags in. There is no legal requirement to
turn tags in.

MR. KNAUER: Bill Knauer, Fish &
Wildlife Subsistence Management. There is a
legal requirement for -- with any tagged
animal or fish that if there is a tag, there
is a legal requirement to turn the tag in.
The fish doesn't have to be. So, that --
that is in the subsistence regulations.
It's also in the State of Alaska regulations
that there's a requirement to turn in tags.
Thank you.

1 MR. LOHSE: So the requirement is
2 there. The usual reward is just offered as
3 an incentive then?

4 MR. KNAUER: There's normally no
5 reward other than knowing that you have
6 contributed to sound wildlife and fisheries
7 management.

8 MR. LOHSE: Do you mean there's
9 no hats or no certificates or no dollar
10 bills, T-shirts or anything?

11 MR. ELVSASS: You know, the hat
12 program on a tag return worked real well for
13 a dollar. Most people would rather wear
14 them on their hat. If you look at the crab
15 tagging programs in the past years, you
16 know, we would get tags by the hundreds on
17 certain days, and we'd turn some in and let
18 them know we got a lot of them, but most of
19 the crew liked to keep the tags, so we'd
20 just flip coins for the tags and never turn
21 them in. But the hat program did get tags.

22 MR. LOHSE: Okay. Sorry.

23 MR. MCBRIDE: Fred, based on the
24 information that Bill Knauer gave us, I'm
25 not sure I would admit to that fire drill.

(Laughter.)

26 MR. MCBRIDE: Moving on to the
27 last stock project that I want to briefly
28 mention, Project 21, king season abundance
29 estimate for the Lower Copper River. Again,
30 this is a large project that's being done by
31 the Native Village of Eyak and their
32 contractor, LGL. And what this project is
33 attempting to do is to develop what amounts
34 to an in-test fishery low down in the Copper
35 River. This would be actually below the
36 Miles Lake sonar. It's right in the
37 vicinity of where the highway crosses Copper
38 River, and what they'll be doing there is
39 using a combination or trying to use a
40 combination of sonar and gil netting to

1 index the abundance of salmon, primarily
2 sockeye salmon well before they get to Miles
3 Lake which is about roughly four to seven
4 days' travel distance for those salmon.
5 And, again, that project was implemented for
6 the first time this year. They did meet all
7 the project objectives. I think it's real
8 important that project that you -- that we
9 certainly view that as a feasibility effort.
10 The challenges of working in that part of
11 the world -- in that part of the river are
12 formidable, and it's very much a feasibility
13 effort to see whether it will work or not.
14 As I say, it is ongoing. They did meet all
15 the objectives for the summer, and we'll
16 proceed as planned for 2002.

17 There are two projects, two
18 harvest monitoring and TEK projects that
19 deal with Copper River salmon. The first
20 one is a -- is Project 40. This was
21 implemented in the first year in 2000. It's
22 Copper River Subsistence Salmon Fishery
23 Evaluation, and that project is actually
24 nearly complete. The data collection is
25 nearly complete. In fact, next on your
agenda, the principal investigator, Bill
Someone is going to be giving you a much
more detailed investigation of that project.
I won't go into that. They'll be giving a
much more detailed story on that.

1 The final project, 217, workshop
2 to build capacity among Copper River Groups.
3 That is a project run by CRNA, and this is
4 one project that was not -- it was supposed
5 to be started, implemented this year.
6 However, it won't be implemented until next
7 year. That really isn't their fault, it's
8 much more our fault. If you'll remember, we
9 met on this last year, February, then the
10 Federal Board is actually the
11 decision-making body that makes the final
12 funding calls. That meeting didn't happen
13 until the end of February, and then after
14 that, we had a few funding agreements to
15 actually make the money available to all
16 these groups and that project was real
17 critical, the timing of it was real
18 critical. They were supposed to start in
19 March, and there wasn't enough time to get
20 the funding and guidelines and get the

1 funding in March. What we're going to do is
2 simply do the Project starting this coming
year instead of last year.

That's all the Copper River
3 salmon projects. What I'm going to move to
now is the Copper River steelhead projects.
4 There are two projects there that I want to
briefly touch on. The first one is Project
5 188, Stock Status for Copper River
Steelhead. That's a project being done by
6 Fish & Game. What that project is
attempting to do and successfully doing is
7 estimating spawner abundance of the two
known steelhead spawning stocks in the
8 middle fork -- the middle fork started in
the spring, the Hanagita started in August,
9 maybe if it's not completed, it's very
nearly completed. So that project will be
10 going on as planned.

The second project, Project 35,
11 harvest monitoring of Copper River
steelhead. That's a Project that is being
12 done by CRNA and what that project is
attempting to do is to do monitoring of the
13 fishwheel harvest in the new early part of
the season, that last two weeks of May
14 season. And, again, that project was
successfully implemented this past year. In
15 fact, what -- the project's been altered
somewhat. They're actually going to beef up
16 the number of fishwheels that get monitored.
They're going to go from two to four.
17 Again, that project is going to successfully
go forward as planned.

Both these projects will be
18 completed in 2003, and unless there's
19 something really surprising about that
information, this is some of the work that
20 we should probably consider as completed
when the projects are done. In other words,
21 you know, there may not -- we may want to
look at different work as opposed to
22 continuing the work on Copper steelhead.

Now I'm going to move on to
23 Prince William Sound salmon. There's only a
single Project funded here. Again, that's
24 very consistent with the systems information
needs that you and the Board defined. Here
25 we're extending a project to extend the Dot
Lake weir. The suggestion is to extend it

1 beyond the sockeye weir in coho. The weir
2 was put in last year. It failed. They ran
3 into very significant flooding events. The
4 weir has blown out. Even though they
5 counted some cohos, the likelihood is a lot
6 of fish moved up during the flooding. For
7 this project to complete its last year,
8 we're going to work with them to see if
9 something can't be done either to the weir
10 designs so they can withstand the likely
11 flood events or perhaps move into some type
12 of tagging estimate where we can have a
13 backup program for when the weir floods out.
14 Again, this is one I think once it's
15 completed in 2002, we probably ought to
16 consider this one complete.

17 Then the final area I'm going to
18 talk about are the two projects in Cook
19 Inlet. There were projects that happened
20 here. The first one, Project 38, Copper
21 Creek weir, a small project to put a weir in
22 Copper Creek which is very close to Cooper
23 Landing to look at Dolly Varden. That weir
24 was successfully installed. We're talking
25 about a very small population of Dolly
26 Varden, but given what's happened to that
27 creek, the dam that's been put in years ago,
28 that's not surprising, but that project will
29 be completed in 2002 and again should
30 probably be considered complete once it's
31 done.

32 And then the final one, in fact I
33 talked about it initially was the Eulachon
34 study. That was the one that's in the Daily
35 News. That's the project being done by the
36 Forest Service looking at hooligan or
37 Eulachon in Turnagain Arm just south of
38 Anchorage, primarily in the 20-Mile, and
39 that project has actually undergone a lot of
40 alteration. I think they've made a
41 tremendous amount of progress. Where we're
42 at on that project is to make that progress.
43 They had to use up their funds for the third
44 year, which we approved doing. I think it
45 was a rational thing to do. But at this
46 point, the likelihood of that program
47 continuing is -- it's probably going to be
48 wrapped up completely with the work that
49 they've done, they completed this year.

1 MR. LOHSE: Now, when you say
2 that it's successful, basically, it has an
3 estimate of hooligan subsistence use for one
4 year, right?

5 MR. MCBRIDE: Actually, what they
6 concentrated on was trying to assess the
7 hooligan resource itself. They were going
8 to follow up with the actual harvest
9 assessment, but that work at least right now
10 is probably not going to happen just because
11 the funds are already utilized, but I think
12 they made some progress in terms of setting
13 up a program that if we or somebody else
14 wanted to continue to try to index hooligan
15 abundance, you could do it.

16 MR. LOHSE: Yeah, I was looking
17 at both of these projects right here, and
18 just, you know, both of those fish I know a
19 little bit about, not a real lot, but I do
20 know that dollies -- the fact there's no
21 dollies spawning in the creek one year or
22 even two years doesn't mean you don't have
23 dollies spawning in the creek. They go from
24 one creek to another creek. They do a lot
25 of jumping around. And the hooligan vary
26 quite widely, so a one-year estimate on
27 population of hooligan doesn't mean
28 anything. I mean, it just shows that year
29 that's what the population was or that year
30 that's what the population wasn't.

31 So, I mean, if they're going to
32 come out with any information from one of
33 these kind of projects, it has to be done
34 over a long enough time period that you can
35 take some of the variations out of it.

36 So, I guess what I'm saying is if
37 our object is to get valid information,
38 somewhere or another we have to decide that
39 if a project proves successful we've got to
40 do it long enough to get valid information
41 or we shouldn't have even started with it.

42 You know, so I don't know how
43 to -- I don't know how to go from that
44 standpoint, but I guess I don't have -- I
45 don't have a lot of use for short-term
46 fisheries projects because short-term
47 fisheries projects don't prove anything.

1 MR. MCBRIDE: Mr. Chairman,
2 you're raising some very valid points and I
3 think it's really going to be a major topic
4 of discussion, not only with the staff, but
5 with the Council and the Board because
6 you're exactly right. A lot of this
7 information is best -- has the highest value
8 as a long-term series of information, but
9 the question is going to be how much can we
10 afford, and for Cook Inlet, at least what I
11 think -- what we're -- we're kind of jumping
12 ahead here, some discussions in the next
13 presentation, but as -- along the lines of
14 what Tom Boyd talked with you about right at
15 the very beginning of the meeting yesterday,
16 I think the priority for information for
17 Cook Inlet is going to be actually harvest
18 monitoring, documenting subsistence needs
19 and use. That's what we spoke to yesterday,
20 and definitely add a little bit more
21 discussion about that here today. So, what
22 we're recommending is that some of the
23 assessment work, the actual fish stock
24 assessment work try to.

13 MR. OLINDE: Bring it to some
14 logical conclusion, Cooper Creek, we'll have
15 a couple of years of information, Cooper
16 Creek. It doesn't surprise me it's a very
17 small population of Dolly Varden. I don't
18 think if we continue that project we'll find
19 something dramatically different. I think
20 any future fish stock in Cook Inlet, it will
21 be highly dependent on the intensity of the
22 subsistence fisheries. The subsistence
23 fisheries are still under discussion. As to
24 what they look like, that's why Tom
25 recommended getting harvest use information.
26 What we're recommending is a stepwise
27 approach. Let's figure out the harvest use,
28 figure out the fisheries, then figure out
29 where we can address the efforts of doing
30 the stock assessment.

31 Okay. Just to wrap up, at least
32 what I was prepared to talk about for the
33 fishery resource monitoring program in this
34 region, most of the 11 projects were
35 successfully implemented. We feel real
36 strongly that significant progress was made
37 in building capacity of rural organizations.

1 I think the two we can point to out of the
2 existing program are Native Village of Eyak
and the Copper River Native Association.

Most of these projects have
3 funding commitments in this coming year in
2002 and will continue as planned. There
4 are a few projects there and some questions
of study design and we will resolve these
5 with the contractors prior to proceeding in
2002. And as I talked about as I went
6 through them, I think several of these
projects should be considered for
7 continuation beyond their current funding
commitments. As we come up on each
8 individual year, we'll be going through that
with you and discussing the pros and cons.

9 That concludes this part of the
presentation and if there's any other
10 questions or comments, now would probably be
the best time before we move on to the next
11 subject.

12 Fred?

MR. ELVSASS: I think just a
13 question on the weir at Tanada Creek. After
the funding expires and so forth, if it's
14 not refunded, what do you do with the weir?
Do you take it out?

15 MR. MCBRIDE: In that particular
16 case, I think the answer is, yes. I mean,
the materials would be taken off the site
17 and probably used as a weir somewhere else.
But, I doubt that -- I'm sure it would not
18 be left there. That's a fairly accessible
site. Getting them out is certainly
19 logistically feasible.

20 MR. ELVSASS: I'm thinking if
this program doesn't continue there may be
21 some other program that could. You know, it
would be a shame to tear the weir down after
22 all the trouble of getting it there.

23 Thank you.

24 MR. LOHSE: Roy?

25 MR. EWAN: I think you touched on
some of these projects that are more or less
ongoing and seems to me like the salmon is

1 going to be ongoing for a long time, and I
don't know about the others. That's why I
2 want to ask the question about the
steelhead. I know we don't know much about
3 the steelhead. Is there a lot of
subsistence people getting steelheads? To
4 your knowledge to have an ongoing, you know,
monitoring program?

5 MR. MCBRIDE: The subsistence
6 steelhead harvest is very low by any
measure. They're certainly caught; they're
7 certainly utilized; and I think given the
relatively small level of use to look at
8 that steelhead project as an ongoing year
after-year-type effort, that probably is not
9 what we would recommend into the future.
That's why I made the comment that unless
10 there's something very, very surprising in
that information that would indicate a much
11 higher level of exploitation than we think
exists, my guess is that project will
12 successfully be brought to conclusion, even
though it's not a long-term series of
13 information, I think it will provide a valid
snapshot of what's going on that could be
14 then checked, you know, later without having
to do it annually.

15 MR. LOHSE: Any other questions?
16 How about if we take about a
ten-minute break right now, so we can have
17 voice rest?

18 (Break.)

19 MR. LOHSE: We'll call this
20 meeting of the Southcentral Regional
Subsistence Regional Advisory Council back
21 in session. We've been talking about
resource monitoring projects, and future
22 resource monitoring projects are coming up
at this time. I'd like to, while we're
23 waiting for Bill Simeone to finish his
things up, I'd like to invite two people to
24 come up, and one of them to tell us about a
project that they'd like to present to us,
25 and one of them to tell us about a project
that she's working on.

1 Would you come up and tell us
2 about the project that you'd like to bring
3 before the Council? We'll have information
4 on this on a later date.

5 MS. BROWN-SCHWALENBERG: My name
6 is Patty Brown-Schwalenberg. I'm the
7 executive director of the Chugach Regional
8 Resources Commission. I'm a nonNative
9 person. I work on the Chugach region for
10 the Chugach environmental region. Thank you
11 for allowing me -- to squeeze me in as I
12 have to leave in a few minutes for another
13 meeting. I wanted to comment on some of the
14 projects that are -- some are not being
15 recommended for funding and some are --
16 we're looking for funding in the future.

17 The first one is the one that I
18 wrote in a letter to Chairman Lohse from the
19 Chief of Tatitlek, regarding Project 01-158,
20 the stock assessment in Shrode Lake in
21 Prince William Sound. We were here in
22 February and testified regarding this
23 project and we had concerns that there was
24 no capacity building in that project, so the
25 Council or the Council at that time
26 recommended that we go back and work with
27 Fish & Game to try and beef that up a bit,
28 and so we did. We had some extensive
29 meetings with Forest Service and Alaska
30 Department of Fish & Game and I think the
31 project is a very good example of
32 capacity-building, not only local hire in
33 there, there's a training component.
34 There's funding going directly to the Native
35 organization. Unfortunately, under that
36 category where the project is there's not
37 enough money to fund that, according to the
38 technical review committee. They're not
39 recommending that one be funded because of
40 the issues on the Copper River.

41 Now refresh your memory. This
42 was the project that the communities of
43 Chenega and Tatitlek brought forward last
44 year because of the road opening to White
45 River, the increased amount of fishing in
46 those two areas which are prime subsistence
47 areas for those two communities, so they're
48 concerned about the amount of fish available
49 for those communities. And the recreational

1 fisheries as well.

2 So, it's a very important project
3 for Prince William Sound and it would -- we
4 would be grateful if the Council would
5 reconsider that project. I understand
6 there's a lot of funding limitations, but
7 there isn't a lot of money going into Prince
8 William Sound versus the Copper projects.
9 And this one is as important to the people
10 in that area as the Copper River projects
11 are to the people in the Copper River area.

12 The other project that I wanted
13 to comment on was the Chugach region
14 resource data layer as a template for TEK
15 project which is 02-028. The Technical
16 Review Committee recommended that for
17 funding, and that's one that we are going to
18 be working with in -- with Chugach Regional
19 Resources Commission, and we are already
20 putting in a GIS database and mapping out
21 subsistence areas and harvest -- harvest
22 areas and subsistence resource areas, and
23 this project is -- will complement work
24 that's already being done, so we -- we're
25 pleased to see that the Technical Review
Committee is recommending that be funded.

1 And then, finally, just a comment
2 on the Chugach Region Subsistence Harvest
3 Monitoring Program, which was not
4 recommended for funding. If you remember in
5 February we talked about this project, and
6 the Council asked that we do a harvest
7 monitoring assessment in the whole Chugach
8 region including Port Graham, Nanwalek, and
9 Seldovia which we had agreed, and through
10 the summer and working with the Federal
11 Office of Subsistence Management, it ended
12 up not being funded, but I just -- just a
13 word about that is we did a subsistence
14 harvest monitoring program in cooperation
15 with Fish & Game a couple of years ago, and
16 there was a major training component where
17 the people that were actually doing the
18 interviews were training how to do
19 interviews. They actually assisted with
20 setting up the interview document, and came
21 back into Anchorage and learned how to
22 assess the information once it was gathered,
23 and were able to look at the database that
24 Fish & Game uses to -- where that data is

1 entered, so there was a great understanding
2 of how that was going to be working, so we
3 were taking that knowledge and putting it
4 into a project for the Federal Subsistence
5 Board to consider. The comment from the
6 technical review committee was that there's
7 not enough technical -- technical assistance
8 or oversight, and we really feel that the --
9 if the Tribes are going to learn how to do
10 this, they need to start being able to do
11 some of this with some oversight, not major
12 oversight. If they've already proved that
13 they can do it, then we do have biological
14 assistance on the Tribal side, that we
15 should be able to do these kinds of things
16 with a lesser role from either Fish & Game
17 or UAA or whatever agency that we choose to
18 work with.
19 So, that's all I have. So if
20 there's any questions, I'd be happy to
21 answer them.

12
13 MR. LOHSE: Does anybody have any
14 questions?

15 Thank you.
16 At this time I'd like to have
17 Bruce Cain come up if he can and put the
18 papers on our desks, and one of the projects
19 that was talked about by the last presenter,
20 we talked about monitoring on the Copper
21 River -- Lower Copper River, the fishwheel
22 and the sonar. And I thought that possibly
23 Bill could -- Bruce could give us some
24 information, Bruce and Mike could give us
25 some information on those projects.

19
20 MR. CAIN: Thank you, Ralph. I'm
21 Bruce Cain. I'm the director for the Native
22 Village of Eyak. I'd like to introduce our
23 Council president. He's in the back of the
24 room, Robert Henrich. I have Robert, and
25 Tim Joyce from the Forest Service is also
here for questions; and I just wanted to
give a brief report on our projects this
summer. We had two pretty good size
projects that the Subsistence Board -- the
Federal Subsistence Board funded, and during
the break I put out two written reports and
these are also in the back if anybody wants

1 to also get some off the back, and then
there's 25 of our June newsletters if you
2 want to get those and have information on
our projects.

3 And I think I'll just turn it
over to Michael, who was our lead biologist
4 on this project, and he's with LBL Limited.
They're an environmental and natural
5 resource consulting firm, and he was -- did
a lot of the work on the project, and a lot
6 of the design.

And then after a brief review, if
7 anybody has a question, we'll be happy to
answer them.

8

9 MR. LOHSE: Mike?

10 MR. LINK: Michael Link, L-i-n-k.
I think Doug McBride did a good job of
11 summarizing the project. Just a few points
that I wanted to make that came up and there
12 may be a little bit of confusion about the
tag recovery and stuff. What we were hoping
13 to do with that project is catch and tag one
or 2,000 fish down near Bear Canyon, near
14 Miles Lake, chinook salmon, king salmon, and
then have a site that we'll operate as a
15 part of the project, somewhere up the river,
maybe 15 or 20 miles upriver and we will
16 resample the run there and we'll be looking
for a portion of the fish that have tags on.

17 And so the project will provide
us with an estimate of the chinook
18 escapement and the chinook run where we put
the tags on. It will be at Miles Lake
19 basically, just clarifying an earlier
question.

20 And on the tag recovery, we will
get some information from people turning
21 tags in, but the actual population what you
derive from looking at fish that are tagged
22 and fish that are not tagged, and so we
don't really have a lot -- until I heard
23 that there may be a legal requirement for
people to turn in tags, we didn't really
24 have any plans to solicit or pursue the
tags, they may not even have an address
25 printed on them. They may just be numbered.
They need to be numbered. If we do have an

1 address, we want to send out information to
2 people on when and where the fish was
3 tagged. The project isn't going to rely on
4 anyone returning tags. We may be in the
5 fishwheel fishery hoping to look at that
6 same information, how many have tags, how
7 many have no tags in the sample. Voluntary
8 recovery won't provide us with a population
9 estimate. I think that's really important.
10 Those are two clarifying points. The
11 project did go very well. Budget was
12 mentioned there. I think there was two
13 items mentioned in the budget, may be
14 reversed, 2001 or 2002, and I just wanted to
15 say on that note, the Native Village of Eyak
16 and our organization went above and beyond
17 the budget to make this one work. We all
18 contributed a lot of -- a lot of additional
19 time and resources, so in year one and
20 probably in year two because we're going to
21 expand the fishing effort upstream. Our
22 budget doesn't even really reflect what it
23 costs. It was an enormous effort. There
24 was a dozen or 15 people involved, supply
25 flights and even helicopters at some point.
When we got into the lower river at the end
of May, there was still eight feet of snow
on the ground. Miles Lake was still frozen
solid. It was -- getting that kind of
equipment mobilized and down the river on
20-year low waters was a real challenge and
the Native Village of Eyak put a lot into it
beyond what we're getting from OSM. If
there's any technical questions, I'll be
happy to respond.

19 MR. LOHSE: Any questions for
20 Mike?

21 I don't know so much it's a
22 question as a comment. You know, I know an
23 estimate of population estimate is the basic
24 goal of the project, but the one thing that
25 I can see that can come from making an
effort to recover tags is there's other
information that can be gathered on the
project. As a side shoot we could gather --
we can gather information as to where these
fish are utilized, taken, or whatever you
want to call it. We can also gather
information as to where they go. I mean,

1 the fish that are tagged with number, take a
2 number off the top of my head, 1400 shows up
3 in Key Bay, went through the fishery on June
4 12th, versus the fish that showed up
5 somewhere else that went through the fishery
6 on the 1st of May or something like that.
7 Those are the kinds of things that I would
8 hate to see -- I would hate to see you not
9 follow up on the tags because to me there's
10 just a wealth of other information that can
11 be gathered as to where the fish go, what
12 time they pass through different places.
13 Some of it more valid than others, but --
14 you know --

15
16 MR. LINK: The tags we purchased
17 is part of the progress. We help to get
18 people to mail them in. We may buy a bunch
19 of hats to get people to participate. Don't
20 get me wrong. I didn't want to confuse the
21 issue that the project was relying on that.
22 One -- the telemetry will give us a lot as
23 well. It tells us where the people caught
24 them, not necessarily where they went. You
25 do get something out of them. We don't want
to ignore them. I don't want somebody to
ask me, they didn't ask for the tag. They
can't come up with a valid population
estimate.

16 MR. LOHSE: I think we see the
17 population estimate is not based on tags.
18 You're doing the same projects that Fish &
19 Wildlife did in 1968 at Moose Canyon.

18
19 MR. LINK: They were catching
20 king salmon. Ken Overson gave us a lot of
21 help in designing ours, Correct? He had a
22 little bit of trouble.

21 MR. LOHSE: Basically, the same
22 ratio type of project.

22 Okay. Any other questions for
23 Mike?

23 Any questions for Bruce?

24 I understand that you ended up
25 getting a lot of donations in time and labor
and assistance in boats and planes and
helicopters and everything else that took
you beyond the scope of the budget. Do you

1 expect to be able to get that kind of help
2 in the future?

3 MR. CAIN: We're working on it
4 all the time. So, we do have some
5 additional funding from some other sources
6 that's been very helpful, plus our Council
7 has been really involved, and even using --
8 donating their own personal equipment and
9 going out and working. So that helps a lot
10 in making it go.

11 There was just a couple other
12 announcements I wanted to just mention.
13 This year we're going to be designing an
14 upriver recovery program and, you know, if
15 anybody that's fishing upriver or has
16 fishwheels or has some ideas that might help
17 us, let us know. What we need to do is we
18 need to look at all the kind that we catch.
19 We need to see how many are tagged and how
20 many aren't. Basically, that's the
21 objective.

22 And then the other thing is,
23 November 29th and 30th, we're having our
24 fall workshop on this project in Cordova,
25 and everyone who is interested is invited
26 and please let us know, and as long as I'm
27 announcing events, November 9th, 10th, 11th
28 is our sobriety celebration in Cordova too.
29 Those are some of the things that are
30 happening.

31 MR. LOHSE: What were the dates?

32 MR. CAIN: 29th and 30th of
33 November is our fall workshop. We'll be
34 going over the results of -- pretty formal
35 results of our -- both projects, should be
36 all wrapped up in a reportable format. A
37 lot of the sonar technicians and scientists
38 will be there.

39 And then the 9th, 10th, and 11th
40 is our sobriety date celebration.

41 Thank you.

42 Anybody else have any questions?
43 Roy?

44 MR. EWAN: I have a question
45 about the fishwheel -- were there two of

1 them?

2 MR. CAIN: Yes, two.

3 MR. EWAN: What would you do with
4 the fish?

5 MR. LINK: Actually, if you got
6 this --

7 MR. EWAN: I didn't read it.

8 MR. LINK: Front page of Eyak
9 Echo, you can see the bottom left corner
10 it's got the two wheels partially assembled.
11 They have huge live capture, the fish were
12 deposited in the river water where they swim
13 around, we tagged some and then let the rest
14 go.

15 We caught, I think it was 900 --
16 just under 900 king salmon and 25,000
17 sockeye. And those were all put back in the
18 river alive. We visited the wheel five
19 times a day.

20 MR. LOHSE: I think that's an
21 understanding that needs to be reached is
22 that you're not taking any fish out of these
23 fishwheels?

24 MR. LINK: Correct. It's all
25 live capture, correct.

26 MR. LOHSE: Thank you.
27 Thank you. With that, what we'd
28 like to do today is we'd like -- Bill
29 Simeone has got a report. He's not
30 available to be here tomorrow. We'd like to
31 have him give his report right now, and then
32 when we finish that, we'll go back on this
33 and I think we're going to have to do our
34 decisions on it tomorrow, probably. It must
35 be close to 4:00.

36 MR. ELVSASS: 3:30.

37 MR. SIMEONE: As usually,
38 technology -- I also gave you a handout so
39 you can follow along.

1 Let's see here.
2 Anyway, I'll do it sort of
3 without it.

4 Excuse me. All right. My name
5 is Bill Simeone. I work for the Alaska
6 Department of Fish & Game, Division of
7 Subsistence. In 2000, the Division of
8 Subsistence received funding from the Office
9 of Subsistence Management to update the
10 division's research on the Copper River
11 Subsistence Fishery. The project had two
12 purposes: Basically the first one was to
13 update the patterns and trends in the
14 subsistence fishery of the Copper River, and
15 the second purpose was the computation of
16 people's knowledge of salmon. To update
17 information on the subsistence fishery, the
18 division conducted a survey of subsistence
19 fishers in both the Glennallen and the
20 Chitina Subdistricts to help document Ahtna
21 traditional knowledge and the division hired
22 a linguist, Dr. James Carey, who is a
23 student of the Ahtna language. For both
24 components we worked in collaboration with
25 the Copper Native Association, the Chitina
26 Tribal Council, Chichna Tribal Council.
27 This presentation is to provide you with an
28 overview of some of the research findings.

29 I'm not going to begin with an
30 orientation of the Copper River, because
31 everybody here knows where the Copper River
32 is. Everybody knows a lot about the Copper
33 River. Basically, the organization of the
34 presentation begins with the purpose of
35 progress, the geographic orientation, then I
36 will go on to outline some of the recent
37 trends of the Copper River Fishery looking
38 at the preliminary results of the survey
39 that we did. And the second part of the
40 presentation will involve reporting on the
41 traditional knowledge research. And we will
42 go through the graphic context, methodology,
43 and research findings.

44 As you all -- and I wanted to
45 start with basically what some of the trends
46 that we found in the fishery itself were.
47 We found the number of subsistence permits
48 issued by area residents -- in other words,
49 nonresident -- nonbasin permits are going
50 up, as you can see by the red line there,

1 while the permits issued to basin residents
are basically stacked. We also found in
2 terms of the estimated total harvest of
salmon that the harvest of nonbasin
3 residents is going up, the harvest of Copper
River basin residents is basically static,
4 staying fairly level -- fairly level.

In our survey, we interviewed 509
5 people. 382 of those were nonlocal
residents; 127 of them were local people.

6 We went to the fisheries to do
the interviews. In other words, we had
7 somebody go out and actually talk to people
while they were fishing. Many of the
8 interviews took place down on the Chitina
Subdistrict when people were using dip nets
9 and at various fish camps.

Basically, what we did was we
10 organized the data in terms of the customary
and traditional use determinations. And
11 everybody knows basically what they are, so
I don't really -- I won't reiterate them.

12 And I will show you some of
the -- what we learned. We basically
13 learned that as everybody knows, the
majority of locals use fishwheels and the
14 majority of nonlocals use dip nets, so there
is a real distinction between nonlocals and
15 locals in terms of gear. As my data manager
pointed out, all of the information we
16 collected and the results show a
statistically significant difference between
17 locals and nonlocals.

Okay. For example, another
18 variable we looked at, we looked at when
people fished and we found that most
19 nonlocals fish in July, most locals start
fishing in June and then sort of peter out
20 as the summer goes on. In other words, the
intensity of fishing for the locals was
21 usually in June, whereas intensity for
fishing for the nonlocals is predominantly
22 in July and very, very little in August and
September. So there's differences there.

23 We also looked at how people
prepared their fish. We found that
24 nonlocals tend to prepare fish in a variety
of different manners where most nonlocals, a
25 great majority of nonlocals freeze or smoke
their fish. There was a statistical

1 difference there in terms of how people
2 prepared the fish depending on where they
lived.

3 Okay. We did also ask people
4 about how you learned how to fish. Here you
can see that locals learn from their parents
5 or other relatives, while nonlocals tended
to learn -- either were self-taught or
6 learned from a friend, usually people who
they worked with. So there was a difference
there. And that relates to the passing on
of knowledge.

7 It tends -- the knowledge among
8 locals tends to pass on from generation to
generation from family member to family
9 member. Nonlocals tend to pass on
generation -- information through
friendships and through nonrelatives.

10 Now, we asked the question about
11 sharing harvests and we found that most
nonlocals and locals share their harvest,
12 but how locals share their harvest was
different, and I haven't put any slides in
13 here, but basically there were different
patterns in terms of how the amounts were
14 shared, who they shared with, and things
like that. And this will all be in the
report as well.

15 Okay. Then we looked at things
like employment characteristics and tried to
16 differentiate between locals and nonlocals
and we found, as you can see, that
17 nonlocals, majority of nonlocals were
employed full-time, okay, whereas it was --
18 the employment characteristics of local
people was much more varied; some people
19 being employed full-time but most being --
also some being employed part-time and
20 seasonal. So there was a difference there
as well.

21 Now, one of the reasons that we
22 did the survey was because we wanted to look
at whether -- at whether or not there were
differences between nonlocals and locals
23 based -- or because of what the Board of
Fish had done in 1999. In December of 1999
24 they had made the dip net fishery which had
been a personal use fishery, a subsistence
25 fishery, and they based that -- I think one
of their decisions on the fact that a number

1 of people had been involved in the dip net
2 fisheries from Fairbanks, especially for a
3 long, long time. So there was maybe this
4 notion that the locals and nonlocals had
5 sort of coalesced in terms of all their
6 characteristics that show that also they
7 haven't. That there are separations. The
8 thing I do want to point out is there was a
9 cadre of nonlocal dipnetters who had been
10 going down to Chitina to fish since the
11 '40s -- there is that small group. I think
12 the majority of the people we interviewed of
13 the 10,000 dipnetters are basically new
14 people. The small cadre of long-term
15 fishermen is pretty small. And this shows
16 that to some degree.

17 Okay. Then I would ask people
18 about whether they were satisfied with the
19 harvest limits and we got an affirmative in
20 all the groups that also we talked to. Most
21 people were satisfied with their harvest
22 limits.

23 We asked if their harvest had
24 gone down -- here you noticed and I divided
25 this out by Ahtna, other basin residents and
26 nonbasin residents. Ahtna and other basin
27 resident who also had been fishing for a
28 long time in the Copper River sort of looked
29 at this on a long-term basis and said their
30 harvest had gone down. People we
31 interviewed in the basin have very, very
32 long-term memories whereas nonbasin
33 residents have shorter memories, shorter
34 histories.

35 Now, I want to switch gears
36 here.

37 Are there any questions now?
38 If I'm talking too fast, please
39 stop me, I get nervous.

40 MR. JOHN: You did a good job.

41 MR. SIMEONE: The next part of
42 the project has to do with traditional
43 ecological knowledge. And I wanted to point
44 out that the key to this, we felt, the key
45 to learning about traditional ecological
46 knowledge was to know about the language.
47 Okay. We wanted to document what people
48 knew about their environment and about

1 salmon by talking to people in Ahtna.
 Because we felt that they expressed
 2 themselves better that way, much more
 detailed amounts of information, just a lot
 3 better way of gathering information about
 what people knew.

4 I should point out that everybody
 that we did talk to is bilingual. They
 5 speak very good English and they speak
 Ahtna, so the conversation was carried on
 6 often in both languages.

As I said, we hired Dr. Carey who
 7 has had 20 years of experience in the Copper
 River Basin and has collected a lot of
 8 information on the Ahtna language, including
 making an Ahtna dictionary.

9 Together, Dr. Carey and I
 conducted both directed and nondirected
 10 interviews with nine Ahtna elders and a
 middle-aged person. I'm not going to call
 11 Wilson Justin an Elder just yet. The
 interviews were transcribed, translated, and
 12 then edited by a number of very good Ahtna
 speakers for accuracy.

13 Okay. And these are some of the
 research methods that we used, mostly just
 14 going out and talking to people with a tape
 recorder.

15 The traditional -- the
 consultants that also we used are Frank
 16 Billham who has since died, unfortunately,
 Katie John, Virginia Pete, Frank Stickwan,
 17 Andy Tylon.

Now, the interview topics
 18 included -- we collected information on
 salmon and other fish, we collected
 19 information about the life history of
 salmon, we collected information about
 20 factors influencing the movement of salmon,
 we -- information about harvest devices and
 21 the preparation of salmon, and information
 on the Ahtna management system, and then
 22 legends and stories about salmon that people
 knew.

23 In addition to the interviews, we
 collected archival information which had
 24 been -- from earlier research from the '50s
 and '60s and from earlier than that. And
 25 Dr. Carey transcribed, translated, edited
 material that he had previously collected

1 from Katie John, including about a 30-page
 2 narrative on the Tanana Fishery which is the
 3 centerpiece for the whole report. It's a
 4 very, very detailed narrative about her
 5 experiences in the Tanana Fishery, and she
 6 talked about things when she was a child.
 7 She discussed for example, the detailed
 8 construction of the fish weirs and the traps
 9 that were used in Tanana Creek, the rules
 10 associated with fishing and she noted that
 11 there were very, very strict rules
 12 associated with the people's behavior around
 13 the fish weir and the traps.

14 She also discussed the amounts of
 15 fish that they caught and what they needed
 16 for people to make it through the winter.
 17 She discussed the first salmon ceremony that
 18 people had to perform if they wanted to have
 19 luck for the whole next year, and she talked
 20 a lot about the processing of fish products
 21 and of making different kinds of products
 22 including the use of copper wood sap mixed
 23 with fish grease that I had never known
 24 about. I thought it was interesting.

25 Her narratives are sort of the
 centerpiece, but there are a lot of other
 narratives that we collected from a number
 of other Elders, but it was important to
 collect these narratives to allow people to
 express themselves in their own manner.

Okay. Then I would present just
 a little bit of ethnographic background on
 the Ahtna which most people already know.
 The Ahtna territory was 23,000 square miles
 with four dialects, Ahtna social
 organization was matrilineal in the sense
 that they are clans and that children
 determine their descent through their
 mother. One of the important things was the
 political organization in which there's a
 clan structure with a clan chief or clan
 head and he is responsible for his people.
 He is responsible for accumulating
 subsistence foods and redistributing them
 and he was important to the fishery because
 he determined how much fish should be caught
 for that year. He made sure that the weir
 was -- or the dip net platforms were in good
 working order. In other words, he was the
 overseer to make sure that people collected

1 enough subsistence foods to live throughout
the year, and to be able to trade with
2 people in the surrounding area.

Okay. Now, I wanted to make sure
3 that people understood that we're not just
talking about the past here. In many
4 respects we saw the Village Council was
taking over the role of a clan leader and
5 managing resources, and one example was in
1996, the Ahtna Village Councils began to
6 manage their own village fishwheels and
these wheels are used to catch salmon that
7 is distributed to Ahtna Elders and people
who do not have access to the wheels. So
8 there is -- I don't see any breakdown
between the past and the present. I see
9 some continuity. It's just the structures
are changed. The people -- the Village
10 Council -- where you had this clan leader,
this individual, now you have a Village
11 Council who does many of these things.

Then we did something on the
12 traditional seasonal round which I won't go
into.

And then we talked about the
13 importance of fish. We did the ranking of
14 fish as a food source for the Central and
Lower Copper River. Sockeye salmon are the
15 first. They were the major fish stored for
the winter. We figured that they filled 40
16 percent of the larder. Chinook were second
with grayling and whitefish and then you had
17 coho and round whitefish, rainbow trouts,
and steelhead were also used. They were
18 approximately 10 percent of the larder.
Then you had bullhead and lamprey which were
19 not at all. They were considered taboo.

If I made a mistake here, you
20 guys up there, or people know, correct me.
I don't know everything, I'm just....

And then we talked about Ahtna
21 natural -- of the natural history of salmon,
22 we looked at salmon, anolmaly, Ahtna
knowledge of life cycle, the factors
23 influencing the life cycle streams of salmon
and the salmon environment.

24 Here we have a very basic picture
of salmon, of Ahtna terms for both insides.

25 There was a considerable amount of knowledge
about the internal organs of fish and it was

1 quite interesting.

So this is one of the things.

2 Basically, then we had -- we
talked about the distribution of salmon.

3 Now, I wanted to talk a little
bit about that service. The Ahtna have
4 terms for 19 species of fish that appear
both inside and outside the basin. That
5 includes all 14 species of fish found in the
Copper River Basin that have been
6 inventoried by the Alaska Department of Fish
& Game and the National Parks Service. The
7 Ahtna and scientific knowledge are
comparable. They both know what's there.

8 There are five additional species
that Ahtna recognized which includes, pike,
9 pink salmon, chum salmon, whitefish, and
hooligan. Because Ahtna live in the
10 Matanuska Valley and some of the fish are
there, also in trade.

11 There is also considerable
elaboration in terms of the varieties of
12 fish that are available. The Ahtna know a
lot about homes, for example, different --
13 what they call -- what the Department of
Fish & Game call -- what the heck are they
14 called? Not runs, but stocks of fish, okay.
Basically, the upper Ahtna had recognized 21
15 runs of stocks of fish, including chinook
and sockeye salmon on the Upper Copper
16 River. In other words, they have delineated
21 different stocks that they know are
17 separate, okay?

And these stocks are called --
18 are discussed in terms of their home
streams. And there are two that are very,
19 very well known. There's one called Naktal
Nuigska (ph.) which is roasted salmon fish,
20 you guys know where that comes from.
Batzulnetas, that fish is known throughout
21 the whole Copper Basin, from Terrel to
Batzulnetas. Everybody knows what that fish
22 looks like and when it's coming through.

There's another fish that
23 everybody knows called saslogya (ph.) which
is translated as sand sockeye. This is from
24 Sosleta Creek and Sosleta Lake. They knew
about the chineme (ph.), Norooga (ph.),
25 which is the -- that's the big king salmon,
they say those are the really big king

1 salmon.

2 People had a pretty good idea of
3 what's out there, you know, in terms of
4 being able to identify it pretty precisely.

5 Now we also tried to understand
6 the Ahtna self-management strategies. We
7 looked and we basically -- I'll just read
8 what I wrote. Traditionally salmon were a
9 critical resource to the Ahtna because they
10 were a major staple that arrived at a
11 juncture in the annual cycle when food was
12 scarce. Ahtna therefore developed
13 strategies to manage and regulate the
14 harvest of salmon.

15 Now, these self-management
16 strategies such as those practiced by the
17 Ahtna derive a legitimacy and authority from
18 the community basically of knowledge and
19 values and practices, so there's
20 community-based versus a State system which
21 basically springs from governmental or
22 administrative authority. And in a
23 self-management system the management is in
24 the hands of the resource users who adhere
25 to the rules for several reasons, once in
response to social pressure and -- and/or
because of religious conviction. We will
see there's a certain religious aspect to
the management system.

But people also know what will
happen if they abuse the resource, okay?
They understand that their actions do affect
the animals, plants, and fish which they
depend on.

So, in a self-management system,
you have no institutional mechanisms to
force compliance. And especially in Ahtna
culture where the individual autonomy is so
highly valued each adult was responsible for
following the rules. That's what they were
supposed to do. And there were certain
things that could happen, for example, if
somebody trespassed on a territory, there
would be violence, there could be fighting
over that. And children were severely
reprimanded for not acting correctly or
making disturbances around fishing sites.
Basically the Ahtna practiced three
strategies to control when and where the
harvest of salmon took place, the amounts

1 they harvested and the size and condition of
2 the fish that they caught. And these
3 strategies included, okay, one, a system of
4 territories and leadership which we sort of
5 talked about a little bit, in which there
6 were clan territories throughout the whole
7 region. People didn't not only trespass on
8 them, they had to ask permission to go.
9 There were all sorts of rules involved in
10 whether or not you could fish there, whether
11 or not you had rights to fish there, et
12 cetera. And the clan leaders were the basic
13 managers or overseers.

14 Then you had basically a
15 conservation imperative. You had the rules
16 for fishing that kept a sustained yield.
17 The practices for a sustained yield. Now
18 the imperative was not to waste. Every
19 Elder that we talked to talked about the
20 fact that you are not to waste fish. It is
21 basically a sin in their view to waste fish.

22 Then the other one was timing of
23 the harvest and effort, and included in that
24 is that you want to fish early in the
25 season, you want to get your fish fast, as
26 quickly as you can because of the fears of
27 high water, problems with insects and
28 problems with wet weather. So everything --
29 and because the major product that people
30 were after was dried fish and you had to get
31 as much fish as you could in that early
32 period up until about the middle of July,
33 all kinds of different things kicked in.
34 There are other things people did or
35 collected different kinds of products.

36 People selected salmon on the
37 basis of fish. They tended to throw out the
38 females. One of the things people mentioned
39 in terms of traditional dip net fishery was
40 that you certainly monitor what you could
41 catch a lot better than you could with a
42 fishwheel. People were letting females go
43 when they were catching them in a dip net,
44 something that they can't do today as
45 easily.

46 And then there was the other
47 thing about harvesting the right amount and
48 that people -- basically it was very
49 important to get the right amount of fish to
50 sustain you through the year.

1 Okay. One of the interesting
2 things was that whereas that we found that
3 Yupik tended not to want to count fish.
4 They found that it was in a sense insulting
5 to pay attention to the number of fish you
6 caught. Well, Ahtna in our experience,
7 anyway, were very, very conscious of the
8 number of fish and they had developed this
9 concept of the bale, and apparently -- what
10 I've learned is that a bale of fish is
11 either 42 or 40 sockeye or 20 chinook. But
12 also I've learned just recently that bale --
13 the number of fish in a bale also varied
14 depending on family. And apparently a
15 40-fish bale of sockeye is really something
16 that has a measurement for trade purposes,
17 that is the most sockeye that a man could
18 lift and carry for a long distance. But
19 everybody that we've talked to mentioned
20 this bale as an important measurement.

21 We also tried to estimate the
22 precontact harvest of salmon for Ahtna
23 people. We figured it at a rough estimate
24 of 1189 pounds per capita per use, that's
25 1189 pounds of year of fish per person per
use. That's a total of 1,308,450 pounds of
fish or 327,000 sockeye salmon.

 Now, that's just what we figured
for this bot. We didn't talk about fish
that people ate just fresh or fermented fish
or stuff like that.

 Now, that's way over what people
collect today.

 Now, we figured and we also
looked at why harvests have gone down. We
tried to look at some of the historical
problems that people have faced and why the
harvest had been lowered, and one of them
was the decline in population, the Ahtna
population because of disease, ravages of
disease, there was a commercial fishery at
the mouth in -- within the Copper River at
one time which had -- which didn't estimate
the stocks, but it certainly lowered them
way down.

 There were changes in
regulations, changes in lifestyle. There
were changes in environment coupled with the
development of private property along the
river which makes it very difficult if you

1 lose a fishwheel site, it's hard to find
another one.

2 Okay. And so the river --
changes of the river sometimes made it hard
3 for people to continue to fish.

 Now, the other point is that the
4 traditional management system is based on
information that people get from experience
5 and from observation, but the rules about
what you do about fishing, how you act
6 around fish, how you handle fish, you know,
everything came from stories, came from
7 information that people passed through
stories, and we collected two of these
8 stories. One is called Raven, Seagull, and
Eagle. That story is about the genesis of
9 salmon in the Copper River. The other was
the book which is the salmon story, the one
10 that's highly valued. It's a story about a
boy who was captured by the salmon people,
11 went to live with them, came back and was
caught in a dip net and then became human
12 again and told people what it was that the
salmon -- how they wanted to be treated.
13 And in order -- and that these rules that he
imparted to people basically are about the
14 sustained fishery. You know, they're about
how to keep the fishery up. And so these
15 are very important stories that we collected
that we learned. And some of the
16 storytellers I wanted to -- Jake Tansy,
Frank Stickwan, Fred Ewan, and the late
17 Martha Jackson were people who told us some
of these stories.

18 And then we collected information
on salmon harvesting devices, the most
19 prominant piece of equipment that people
used in the past was the dip net, but that
20 was used in the main stream of the Copper
River. There was the disani (ph.) and that
21 was the fish trap that was used, some of the
side traps, there was a fish spear and then
22 the fishwheel.

 Okay. We documented
23 approximately 120 different dip net sites
along the Copper River that were grouped
24 into districts with large concentrations
between Terrel, for example, at the mouth of
25 the Tonsina and concentration up to the
mouth of the Chitina, one around present

1 Copper Center, Gulkana Creek, in those
2 areas, very few dipnet sites above the
3 Chistochina, the mouth of the Chistochina.
4 A few up that way.

5 The major weir sites were on the
6 tributaries of the Copper River, Tanana
7 Creek, weir site on the Gulkana as well as
8 the sites tended to be where the lake and
9 the stream came together. There were two
10 different kinds of traps. There was a trap
11 that was put in the weir, but there was also
12 a reverse current trap, downstream of the
13 weir if the fish went up to the trap and
14 didn't go in, they would go back downstream
15 and be caught with a trap that was further
16 downstream. It was designed differently in
17 order to catch these fish coming back
18 downstream.

19 And then we collected information
20 about the fish camp and the processing of
21 salmon. These are just pictures, and then
22 we looked at basically the major products
23 which the first I said was dried fish. Then
24 there was fermented salmon, and fermented
25 salmon is the process of two different
26 styles, short term and long term. Fish
27 grease which is used -- very important to
28 dry the backbones of salmon. Then people
29 ate salmon fresh. So we learned quite a bit
30 about that.

31 Now, what I wanted to talk about,
32 two things here: When I gave this
33 presentation to you for Fish and Wildlife
34 Service years ago I was asked if I planned
35 to make any recommendations. I didn't plan
36 to make recommendations out of research.
37 That startled me. I'm not used to making
38 recommendations to anybody, even my children
39 don't even listen to me. I don't expect
40 anybody else to.

41 (Laughter.)

42 MR. SIMEONE: One of my most
43 important concerns was to make this
44 information available to managers and
45 biologists, okay? I'm hoping that the
46 information, that the report isn't sort of
47 dismissed, I mean by people and I don't
48 think they'll really do that. I don't want

1 it to be another anthropological historical
2 interest report that has been produced and
3 people don't use. I basically have come up
4 with three tentative recommendations. One
5 is that U.S. Fish & Wildlife, Subsistence,
6 and the Alaska Department of Fish & Game,
7 come up with a working group that includes
8 Natives and non-Native experts to talk about
9 this information, about new research
10 information, and research about salmon. To
11 tap into Ahtna Elders' information about
12 salmon, which is much more diverse and
13 elaborate than anything I've told you so
14 far.

15 I thought it was important that
16 we use the information to develop long-term
17 management goals and Larry Buklis, he sort
18 of gave me that idea. And then to develop
19 further research questions as well.

20 And then what -- what we're
21 trying to do now is trying to finish this
22 report by updating all the graphs and tables
23 that we have compiled from earlier research
24 to continue to collect more information,
25 starting to learn more information about
26 what people know about how salmon actually
27 guide themselves up the river. And then I
28 want -- and then we're also continuing to do
29 research on non-salmon species in the Copper
30 River, doing the same sort of research with
31 traditional knowledge, but also doing a
32 harvest survey that will be about 500
33 residents of the basin.

34 So, that's what I had to say, I
35 guess.

36 Are there any questions?

37 MR. LOHSE: You must have quite a
38 stack of paper?

39 MR. SIMEONE: Quite a stack of
40 paper. I've got eight chapters so far.

41 MR. LOHSE: Are you going to put
42 this all in an organized -- I mean, all
43 these different sections so that they're
44 available to be read?

45 MR. SIMEONE: Yes. That's right.

1 MR. LOHSE: Everything from the
research to the stories to the --

2
3 MR. SIMEONE: Yeah. There's a
whole chapter just on -- that has all of the
versions of the stories we collected.
4 They're both in Ahtna and translated in
English. Katie John's story which covers
5 just one whole chapter itself, 30 pages long
which is lingual translation of her Ahtna
6 into English.

7 The "Ahtna Management" chapter
covers everything I talked about here more
but it also has all the Ahtna -- all the
8 Elders' discussions in Ahtna translated into
English. So, yeah, there's quite a bit of
9 information.

10 MR. LOHSE: I think that would be
well worthwhile. Then some of the things
11 that we've dealt with in the past, we had to
deal with are things that if some of that
12 stuff would have been taken into
consideration would never have been on the
13 table. Because if consideration would have
been given to things like that in the past,
14 it's possible we would be farther along.

15 MR. SIMEONE: I apologize we
didn't get this done sooner.

16

17 MR. LOHSE: Two years ago.

18 MR. SIMEONE: That was Wilson's
comment, why didn't we have this in 1970?

19

20 MR. LOHSE: I'm glad to hear that
it's going to be available for managers or
21 people that sit in the same kind of
positions as we do. People in general that
22 are interested in learning about other
people. It can be a tremendous -- be a
23 tremendous additional high school course for
the high schools in the Basin.

24

25 MR. SIMEONE: Yeah, yeah.
Hopefully it can be used in education.

1 MR. LOHSE: Any other comments or
questions?
2 Roy?

3 MR. EWAN: I just have a comment
and it's a good one. I think you did a very
4 fine job. I really appreciate what you've
done -- what you've done. I hope you
5 continue to do it. I think that's going to
be very valuable for people that are not
6 familiar with the past in the Ahtna area and
probably if you're doing it in other areas,
7 I think you did a fine job. Thank you.

8 MR. SIMEONE: Thank you very
much.

9 MR. EWAN: I did have one other
10 question. One picture shown, I'm familiar
with that picture. Did you ever find out
11 what year that was?

12 MR. SIMEONE: No. I've got to go
to the museum. About the woman --

13 MR. EWAN: Yes.

14 MR. SIMEONE: I've got to find
15 out.

16 MR. EWAN: Quite a while ago.

17 MR. SIMEONE: Yeah, oh, yeah.
1900.

18 MR. LOHSE: Any other questions?

19 MR. JOHN: I just want to say I
20 appreciate your presentation. I think it's
good to have and hope you just continue to
21 get all the information.

22 MR. SIMEONE: Thanks, Fred.

23 MR. LOHSE: Ida?

24 MS. HILDEBRAND: Excuse me.
Thank you Mr. Chairman, Ida Hildebrand,
25 since TEK is an interest of all the regional
councils, are you planning to do a

1 presentation at any of the regional
2 councils?

3 MR. SIMEONE: I hadn't planned on
4 it.

5 MS. HILDEBRAND: Would you
6 consider it?

7 MR. SIMEONE: Sure.

8 MS. SWAN: Mr. Chairman, that was
9 absolutely fascinating, and probably, yeah,
10 it should have been done a long time ago.
11 But it'll probably be some of the most
12 meaningful information that we will have.
13 And think about doing presentations, okay?

14 MR. SIMEONE: Okay. Thank you.

15 MR. LOHSE: Okay. With that, I
16 sure thank you for your presentation.
17 I think we're going to take a
18 five-minute break.

19 (Applause.)

20 MR. LOHSE: And we will try and
21 cut this one to five minutes. We'll cut it
22 to five minutes because we're going to see
23 how much we can get through with Doug's
24 presentation and the deliberations that also
25 we have to make about this.

26 (Recess taken.)

27 MR. MCBRIDE: Mr. Chairman, I
28 guess I don't know that you're off track.
29 Basically, what you heard were a lot more
30 detailed presentations of some of the work
31 that's being funded through this program,
32 so, I don't know if it was off track at all,
33 more detailed presentation than the general
34 overview which I'm prepared to do.
35 Okay. The last part of this
36 presentation is on the Draft Resource
37 Monitoring Plan for 2002. So what we've
38 talked about so far is results and progress
39 from work that's already been funded in the

1 years 2000 and 2001 and now there's an
2 opportunity to fund some additional work in
3 the coming year, 2002. So what I'm going to
4 be speaking to and the handouts that you
5 received, there's another handout that's
6 entitled "The 2002 Fishery Resource
7 Monitoring Plan Review Draft for the Cook
8 Inlet Gulf of Alaska Region." And this is
9 the talking points for the report under Tab
10 E in your book. Tab E in your book has a
11 lot more detailed information which includes
12 executive summary and individual reviews of
13 individual projects.

14 I'll give them a minute to make
15 sure they've got it. Everybody got the
16 right paperwork?

17 Again, the talking points that
18 we'll actually be going through is in the
19 handout on the 2002 Draft Resources
20 Monitoring Plan.

21 I don't know if there's any point
22 in repeating the purpose. We're going to
23 review and discuss the proposal that also
24 we've received and staff recommendation for
25 what is to be funded in 2002. The detailed
information is under Tab E, and at the end
of this presentation, we are very much
looking for review, recommendations, and
advice on the part of the Council for
funding recommendations.

1 The agenda -- what I'm going to
2 speak to here in the next few minutes, I
3 think we can very, very quickly go through
4 the background for the Fishery Resources
5 Monitoring Program. We did that in the
6 previous presentation. I will briefly kind
7 of go through, remind everyone on the study
8 selection process that has occurred to date.

9 Then we'll go through the Draft 2002 Fishery
10 Resource Monitoring Plan for this region.

11 Again, we can just very briefly touch on the
12 issues, information needs and then I'll go
13 through the stock status and trend projects
14 and the harvest money TEK programs, at the
15 end we'll go through the review, discussion
16 and your advice and recommendations.

17 In the interest of time, I'm
18 going to pass through the financial
19 information. The only thing I'll mention is
20 again on this bar graph, from a Statewide

1 perspective what we're going to be talking
2 about are the portions of bars that have the
3 numbers in them. That's the amount of
4 money. If you go to 2002, the very middle
5 bar, there's a little over \$2 million to
6 fund new work statewide in this program.

7 MR. LOHSE: Statewide. Do we
8 have any breakdown as to what that would be
9 to our area?

10 MR. MCBRIDE: Yes. In this
11 region there is a formula that's used as a
12 guideline. Kind of get the discussion going
13 and that formula breaks things out by
14 region. So, for this region, I think the
15 exact amount is \$291,000 or roughly --

16 MR. LOHSE: Basically \$300,000.

17 MR. MCBRIDE: 300,000, exactly.
18 The other thing that's pertinent, the
19 recommendation that you're going to get is
20 based on taking two thirds of that money,
21 roughly 200,000 out of 300,000, putting it
22 into stock status and trends work and taking
23 about a third of the money or \$100,000 and
24 putting that into the harvest monitoring,
25 TEK work. That's our starting point for
making a recommendation.

On the study selection process,
again, the Fishery Information Services
staff, NOSM, we -- that's part of our job,
we provide the oversight for that process.

The recommendations that I'm going to
present to you are actually the product of
what's called the Inter-agency Technical
Review Committee and that's a group of
biological and social scientists,
professionals from the various agencies.

And there is an Inter-agency Technical
Review Committee, and the recommendations
that I'm going to give you are their
recommendations, and when the FIS staff and
the Technical Review Committee look at these
project proposals, we judge them on several
criteria, and those criteria are: Strategic
priorities, how well do they match the

1 priorities set by the Council and the
Federal Subsistence Board.

2 Then we also try to judge them on
the technical and scientific merit. How
3 well from a methodology standpoint do they
propose doing what they say they're going to
4 do? Then we also look at the past
performance of the investigators, trying to
5 make sure that we're dealing with people
that we can deal with on kind of a
6 cooperative agreement or contractual basis,
and then finally we look at the partnership
7 and capacity-building aspects of the
program. And along those lines, there are
8 tables in this report under Tab E, back at
tables -- it's Table 1 and 2 in this
9 section, the tables that look like this.
They're on page 12 and 13. We tried to put
10 some definition of what that really means on
partnership and capacity building. And
11 what's in these tables is for every project
that we had under consideration we looked at
12 two financial things. We looked at what
portion of their budget is going towards
13 local hire, and we put a very definite
definition on local hire, but we asked
14 everybody that submitted a proposal and a
budget to tell us what portion of that
15 budget, how much money was going to go to
local hire, and we defined local hire. And
16 we also look at how much of the budget was
going to what we call NGOs and that's
17 Federal I for nongovernment organization.
Okay. That means somebody besides the State
18 or the Federal Government, okay?

19 So we try to look at those two
aspects and get how much money people are
really talking about going to somebody
20 besides the State or the Federal Governments
and how much money is going to go to local
21 hire. So when we talk about partnership and
capacity-building that's what we were
22 primarily looking at.

23 Okay. On the -- again, I'm going
to again, briefly discuss the issues and
information needs, and in the previous
24 presentation we already discussed that, I
don't want to go into a lot of detail on
25 that, but I am going to come back and
revisit that at the very end of the

1 discussion, because I think we need to have
2 some discussion about where Cook Inlet fits
3 into this mix. But for purposes of what I'm
4 going to present right now, what we
5 primarily focused on is the primary issues
6 and information needs are the issues of the
7 Copper River and Prince William Sound.

8 Okay. For the stock status and
9 trends projects, these are projects and
10 proposals that we received for 2002, the TRC
11 looked at all the proposals that we got last
12 November -- let me just quickly revisit that
13 selection process. There was a call for
14 proposals last November, proposals were due
15 into us by last February. We reviewed those
16 proposals with the Technical Review
17 Committee, and we selected certain proposals
18 that had a full-blown investigation plan
19 prepared. And it's those investigation
20 plans that are now under consideration.

21 Of those projects, the stock
22 status and trends projects, four of them
23 were advanced for investigation plan and of
24 all four of these projects, all these
25 projects did address issues that were
26 identified by the Advisory Council, all of
27 those SST projects sought to better estimate
28 fish abundance. They're all salmon
29 projects, all four of them, however I think
30 what you're going to find as we go through
31 each of the individual projects, the
32 different strategic importance and technical
33 merit and their opportunity for capacity
34 building, and in total, these four projects
35 total almost \$400,000. So if you look at it
36 from the standpoint that's \$300,000 to
37 point, we -- 200,000 to spend, we clearly
38 need to make a selection. We can't afford
39 them all.

40 What I'm going through now is
41 Table 3 in this packet. It's also Table 3
42 in your book, which is found on page 14,
43 page 14 under Tab E, the same table.

44 And these were four stock status
45 and trends projects. What I'm going to do
46 is just very briefly go through each one of
47 these and explain the rationale. Now, if
48 you look at this, let's just talk about the
49 table for a second. It's very similar to
50 the table we looked at in the previous

1 presentation. Over on the left-hand side is
2 just the accounting number that we used to
3 keep track of projects. The next column are
4 titles, and then the next column are our
5 recommendations or the Technical Review
6 Committee's recommendations for funding, and
7 then on the far right is the budget
8 information for those projects.

9 And if you look at this, let's
10 just go right to the recommendations:
11 There's four projects here. We only
12 recommended one project for funding and it's
13 the bottom one on the page, Project 15,
14 Migratory Timing and Spawning Distribution
15 for Spawning in the Copper River, Project
16 15; why we recommended this project over the
17 others. We talked about this project real
18 briefly earlier here today. This is the
19 radio tagging project that the Chairman was
20 asking about. This is a project that adds
21 on to the existing Native Village of Eyak
22 project, estimated total abundance of king
23 salmon in the Copper River. And what this
24 project would do is radio tag a portion of
25 those fish that they're catching in those
lower fishwheels that Bruce Cain and Michael
Link talked to you about. They put radio
tags on that project and then they would
track those fish further up the river, and
they would be very directly getting the
information as Ralph asked Michael and Bruce
about, spawning distribution, you know, the
various locations that those spawning fish
go.

18 So, our view of this is if we do
19 this add-on, it really makes for a complete
20 package. The existing project that we're
21 funding is going to give us a total estimate
22 of abundance past the commercial fishery,
23 coming up the Copper River, and then this
24 part is that estimate. It would break the
25 estimate up to the various locations or
spawning stocks where they're going.

This is a Fish & Game project.
23 It does have NVE, Native Village of Eyak is
24 a co-investigator on this project. And it's
25 an expensive project. In fact, it would
basically take up all the money that is
available. That's really driving our
recommendation in that it really directly

1 speaks to what we perceive as the major
2 issue. Certainly it's very good as far as
3 technical merit. It does have a partnership
4 and capacity-building component to it,
5 and -- if you accept this as our
6 recommendation, then the math will eliminate
7 or not -- will preclude funding any of the
8 other work. So let's talk about the other
9 work and discuss it on the merits.

10 Project 158 now going back up to
11 the top, stock assessment of salmon in the
12 select Prince William Sound waters. When
13 Patty Brown-Schwalenberg was here, this is
14 one of the projects she spoke to you about.
15 This is one of the projects that was in
16 front of you last year, what it would do is
17 funding two weirs on salmon stocks in Prince
18 William Sound. We recommended this for
19 funding last year. It's based on your
20 recommendation that we did not fund this
21 project. And from a technical standpoint
22 the project is identical to what we looked
23 at last year. It's a weir project, it's
24 very doable. The only thing that changes on
25 this project, Patty spoke to this, the
Department of Fish & Game went back to both
Chenega and Tatitlek and Chugach on the
regional corporation that Patty represents
and they had built a partnership and
capacity-building aspect into this project
so they did what was asked in view of the
Technical Review Committee which -- what
you're dealing with is relative importance
of issues. You know, trying to stack the
issues of too small sockeye stocks up in
Prince William Sound against trying to get a
more complete picture of king salmon
abundance in the Copper River. That's
really what the difference in the projects
is.

21 The next project, 074, Alaganik
22 Slough coho salmon escapement. Again, even
23 though this is listed as an 02 project, it's
24 basically a project that was in front of you
25 last year. This is a project that's being
proposed by the Forest Service. We had some
technical concerns with it last year. They
addressed those concerns. That's why it's
got a new project number with it and it does
what it says. It would look at and assist

1 the escape of coho salmon in Alaganik
2 Slough, which is a system in the Copper
3 River Delta, very close to Cordova. It has
4 capacity, partnership building. It has
5 technical merits. Again, it's an issue of
6 how does that stack up with trying to get a
7 more complete picture of a larger Copper
8 River salmon, Copper River king salmon
9 issue.

10 The final project, 76, is
11 actually very easy. That was withdrawn. It
12 was kind of supplemental to Project 158, but
13 for all intents and purposes we have three
14 stock status projects in front of us. We're
15 recommending that one of them, Project 15 be
16 funded. I think I'll end here and take some
17 questions.

18 MR. LOHSE: Doug, I guess since,
19 you know, this is a -- you know, what we're
20 looking at is four projects that have impact
21 on subsistence resources. I was just
22 basically looking at the three that you
23 have -- that you have in front of us right
24 here. And, you know, other than -- there's
25 no major subsistence take of salmon up the
26 Alaganik. It's basically what we're dealing
27 with there is basically sport fishing
28 impact. The assessment of salmon in the
29 Prince William Sound waters, again, we're
30 not dealing with a number of subsistence
31 users involved or the impact to both
32 subsistence users and communities, rural
33 communities. We're looking at a migratory
34 timing of the chinook, I mean, because that
35 impacts both the rural community of Cordova
36 and all of the subsistence users upriver and
37 the subsistence users downriver.

38 I guess I would have to -- I
39 would have to say that if we're going to
40 take them on their impact on subsistence
41 users, I would have to say that I'd have to
42 go along with migratory timing of chinook as
43 being of much greater importance than how
44 many cohos go up Gulkana or even how many
45 sockeyes go into too small systems in Prince
46 William Sound.

47 So, I could see if you take -- do
48 you take that into account with these other
49 criteria that you use, do you take into

1 account the impact on how many subsistence
2 users this has an importance to?

3 MR. MCBRIDE: Mr. Chairman, even
4 though we don't enumerate the subsistence
5 users, yes, we do. When we talk about
6 strategic priorities, that's -- you said it
7 perfectly. That's exactly the kind of
8 analysis we go through when we look at what
9 these -- what issues these projects are
10 proposing to look at, and clearly a major
11 part of it is how many subsistence users are
12 being impacted; what kinds of issues are in
13 front of the Council; what kind of issues
14 are in front of the Board; are there
15 regulatory issues, in-season management
16 issues, when we talk about strategic issues.
17 That's exactly what we're talking about.

18 MR. LOHSE: Thank you.
19 Any other questions, Roy?

20 MR. EWAN: I'm trying to
21 understand the proposed budgets. Is this
22 like on the chinook salmon for 2002 to 2004,
23 that you're recommending just Federal moneys
24 we're talking about here or just -- is there
25 some other money from the other agencies
involved in this?

MR. MCBRIDE: No, what we're
talking about here is just Federal money.
This is money --

MR. EWAN: I have a follow-up
question. What are the other agencies'
portion of it, that you're in partnership
with?

MR. MCBRIDE: For this project
specifically, we would basically be funding
virtually the entire project. However, in
this particular case, the primary
investigator is the Alaska Department of
Fish & Game, they have a lot of existing
radio-tracking equipment and they also have
permanent staff that they're going to apply
to this. So, there is -- there are other
as -- financial aspects of this project that
they're contributing to.

1 I think the way we termed it in
2 our analysis is we're leveraging their
3 expertise and leveraging their previous
investment of radio- tracking equipment.

4 MR. LOHSE: Doug, this will also
5 be making use -- part of this will be going
6 to the Native Village of Eyak, because it
7 will be making use of the equipment that
8 they're trying to put in place to enable
9 this project to take place, won't it? I
10 mean, it's -- Fish & Game is not going to be
operating the fishwheels or furnishing the
fishwheels or anything like that? They're
basically going to be doing the radio part
of it with fish that are already being taken
with equipment that the Native Village of
Eyak is putting in?

11 MR. MCBRIDE: Mr. Chairman,
12 that's exactly correct. The existing
13 project, fishwheel project that Bruce and
14 Michael talked about is sort of the
15 platform, if you will, the basis. They're
16 using those fishwheels to capture fish, so
17 what would happen here is Department of Fish
& Game would provide funding for -- in the
18 Village of Eyak to local hire additional
people, additional staff to chance -- to put
radio tags on some of the king salmon that
they catch at their fishwheels. So you're
exactly correct. It's an add-on to that
project and an add-on to that effort.

19 MR. LOHSE: So it -- so if I
20 understand right, basically, it won't be the
21 Fish & Game putting the tags and everything,
22 they'll be training and providing -- and
23 providing expertise, and the funding so that
the Native Village of Eyak can hire people
that are necessary to do the tagging, things
like that; am I right?

24 MR. MCBRIDE: Yes, you're exactly
25 correct. Then in addition to that, then
what Fish & Game would do, obviously the
fish got tracked once they leave the site,
they would be the primary people to keep

1 track of those fish further upriver, that
2 tracking is going to go on way upriver.

3 MR. LOHSE: That's basically
4 tracking with radios and airplanes?

5 MR. MCBRIDE: Both airplanes and
6 what they call stationary data loggers.

7 MR. LOHSE: Radio receivers at
8 the mouths of creeks and things like that?

9 MR. MCBRIDE: (Nods head.)

10 MR. LOHSE: Any other questions?
11 Fred?

12 MR. ELVSASS: As I understand it
13 you're going to use the same fishwheels
14 that's in the ongoing program too?

15 MR. MCBRIDE: Yes.

16 MR. ELVSASS: I guess they belong
17 to Eyak, right?

18 MR. MCBRIDE: Yes.

19 MR. ELVSASS: And that project is
20 still ongoing, it's funded through 2000 --

21 MR. MCBRIDE: 2003.

22 MR. ELVSASS: This money will be
23 on top of this money. So it will be doing
24 the catch and release tagging as well as
25 doing the radio monitoring?

26 MR. MCBRIDE: Yes, Fred, that is
27 exactly correct. So what we get out of it,
28 the original project will give a total
29 estimate of how many kings are in the Copper
30 River, but it doesn't tell us anything about
31 where those kings are going other than they
32 went past the commercial fishery, they went
33 past Miles Lake, now they're in the Copper
34 River. The radio tagging will tell us where
35 in the Copper River those fish are going.

1 Let's just say for the sake of arguments,
2 they estimate there's 40,000 kings that got
3 into the Copper River, then this radio
4 tagging project would then be able to say,
5 okay, 20 percent of them went into the
6 Gulkana River and 14 percent went somewhere
7 else. It would -- part is that total
8 estimate.

9 MR. ELVSASS: And I think that's
10 great, but if you just discounted the
11 tagging program, just use the radio collar,
12 wouldn't you get the same information? What
13 good would a tagging do along with the radio
14 collar? Are you talking about doing the two
15 things to one fish or two different fish?

16 MR. MCBRIDE: The estimate
17 abundance, original project we're talking
18 about is primarily using very cheap,
19 inexpensive tags. What they're putting on
20 there is a spaghetti tag, just a piece of
21 plastic. And the estimate is based on they
22 capture so many fish at the lower site,
23 that's what they did down in Bear Canyon,
24 what Michael talked about they resampled the
25 running further up the river, running
26 fishwheels and dip nets further up the
27 river. It becomes a ratio thing. They look
28 at the total number of fish that they're
29 looking in the upper river site. Some
30 portion of those will have the marks, the
31 tags on them that forms the basis of
32 estimating the abundance. The radio
33 transmitters, very expensive, is a piece of
34 plastic, as opposed to a radio, certain
35 battery life, much, much more expensive.
36 Some of the fish will be outfitted with
37 radio transmitters --

38 MR. ELVSASS: Some of them?

39 MR. MCBRIDE: Those fish, every
40 one of them will be tracked, so there is no
41 ratio of those fish. It's just a tracking
42 exercise to figure out where they go.

43 MR. ELVSASS: Okay. I understand
44 now. I just thought you were going to do
45 the same thing to any fish. It didn't

1 match. But I know the radio program in the
2 fish was very good in the Anchor River on
the steelhead. Thanks.

3 MR. LOHSE: Doug?

4 MR. MCBRIDE: We're not that
cruel.

5 MR. LOHSE: What?

6 MR. MCBRIDE: We're not that
7 cruel.

8 MR. LOHSE: Could I just out of
curiosity, this program would be totally
9 cost prohibitive if we didn't have the other
program already in place, wouldn't it?

10 MR. MCBRIDE: Absolutely. It's
11 adding on to the investment that this
program has already made.

12 MR. LOHSE: Yeah.

13 So, I mean if we don't do it at
this point in time with the program that's
14 in place, we'll probably never be able to
afford to do this?

15 MR. MCBRIDE: Yes, I would say
16 that's very likely.

17 MR. ELVSASS: I have one more
question.

18 MR. LOHSE: Yes, Fred.

19 MR. ELVSASS: Okay. Looking at
20 the funding, the funding of 229,000 for this
year, and that basically eats up all the
21 available funds, then next year you have to
come and get the 185 or is there a
22 commitment right on through? How does this
go? You see what I'm saying?

23 MR. MCBRIDE: I see exactly what
24 you're saying. And it's an exercise, and
the easiest way to explain it is the amount
25 of money does not change every year, okay?
But for the vast majority of these projects,

1 the subsequent year budgets typically are
2 less than the first year, and the reason for
3 that is because there's a lot of start-up
4 costs, like the chinook tagging project is a
5 good example. They had to build the
6 fishwheels. In the subsequent years they
7 don't have to rebuild the fishwheels,
8 hopefully not, but it's that kind of stuff.

9 In addition to that, we try to
10 reserve a third of the money for new work in
11 the subsequent year. So we're making a
12 conscious effort to not spend everything
13 that we've got in year one, otherwise there
14 would be nothing to spend in year two.

15 MR. LOHSE: So, basically, Doug,
16 what you're saying is when we fund it for
17 this year, we're actually funding it for
18 three years.

19 MR. MCBRIDE: Absolutely, yeah.
20 If you end up in agreement with this
21 recommendation, this would be the commitment
22 that we would have to that project. If you
23 remember that bar graph and how those bars
24 declined over time for any particular year,
25 I mean those are the commitments for the
projects that are being funded.

Okay. I think what I'll do now
is move into the harvest monitoring and the
TEK projects. I'm going to be speaking to
Table 4 which is on page 15 under Tab E of
your book, and, again, there were four
projects that were advanced for
investigation plan, and in this case, and
the available amount of money, remember we
reserved about \$100,000 to funding harvest
monitoring, TEK work, that was about a third
of the total, \$300,000 budget we had to deal
with for new work in 2002, and here all of
these projects are addressing legitimate
issues identified by the Council and by the
Board. In one case, in the case of Project
76, there are some technical concerns with a
portion of that project.

If you look at all these projects
together, they total about \$200,000. Again,
we've got to do some selection here. We
can't afford to do all the work.

1 Technical Review Committee here
2 recommended funding three of these four
3 projects. And they're the three projects in
4 bold, the last three projects on your list,
5 and that middle project, Project 28, the
6 "Chugach Region Resource Data," the template
7 for TEK. Patty Brown-Schwalenberg spoke to
8 you about that when she was up here a little
9 while ago. That contains a portion of the
10 project we didn't recommend for funding that
11 the Technical Review Committee thought did
12 have technical merits and was on the mark as
13 far as a strategic priority, so we've
14 incorporated the part of Project 76 that we
15 weren't recommending for funding in this
16 project that the Technical Review Committee
17 agreed with.

18 So, again, I'll just very briefly
19 go through these projects. Two of these
20 projects address Copper River issues and
21 that's Project 75, which is the "Eulachon
22 Subsistence Harvest Opportunities" and then
23 Project 77, "Increasing GIS Capabilities in
24 the Upper Copper River." The third project,
25 Project 28 that I just spoke to contains a
portion of Project 76 that was not
recommended for funding. All of these
projects contain significant budget
components for nongovernment organizations
or NGOs and for local hire.

16 I think in the interest of time,
17 Mr. Chairman, I won't go through each one of
18 these projects individually unless you want
19 me to.

20 MR. LOHSE: Doug --

21 MR. ELVSASS: We won't have time.
22 What time do we got?

23 MR. LOHSE: We don't have to
24 leave here at 5:00 o'clock.

25 MR. MCBRIDE: I'm sorry.

 MR. LOHSE: We don't have to be
out of here at 5:00 tonight, do we?

 MS. WILKINSON: No.

1
2 MR. LOHSE: Give us just a quick,
3 at least a summary on them. I think I
4 understand pretty much what these projects
5 are because I read them, but just a quick
6 summary on them, Doug, and -- Doug, and
7 anything that you think is pertinent on
8 them.

9 MR. MCBRIDE: I think what I'll
10 do is I'll concentrate on projects we've
11 recommended, the one that Patty
12 Brown-Schwalenberg just spoke about. It's
13 got a mapping component. It's got a
14 component where it's going to be collecting
15 TEK information from some of the Chugach
16 Region villages, the Elders in those
17 villages, and it combines them into --
18 through a GIS process into a database that's
19 usable and it would be similar kinds of
20 information, at least from a -- you know,
21 similar types of information Bill Simeone
22 just spoke with you about.

23 Project 75, the "Eulachon
24 Subsistence Harvest Opportunities."
25 Eulachon in the Copper River was kind of a
hot topic this spring. There was a request
for special action on the Eulachon return to
the Copper River, and this project would
fund harvest monitoring work on the
Eulachon, trying to get much more detailed
and contemporary information on what's the
Eulachon use in the Copper River.

And then the last project,
Project 77, "Increasing GIS Capabilities in
the Upper Copper River," I believe this is a
CRNA project. God, I hope so. I'm pretty
sure that it is. I'd have to look it up
here. I just can't remember off the top of
my head. I'm pretty sure it is, though.

Again, this is getting at taking
the existing information, putting it into a
GIS format, which is basically a mapping
format, you can look at the information
visually, instead of having to look at all
the data.

I'll check that real quick and
ask if you have any questions.

MR. LOHSE: Any questions?

1

MR. MCBRIDE: It is a CRNA project.

3

MR. LOHSE: All of these have partnership and capability building?

5

MR. MCBRIDE: As you can see for all the projects, we put down how much local hire and how much goes to a NGO. In the last project, Project 77 --

7

MR. ELVSASS: What page are you on?

9

MR. MCBRIDE: I'm on page 12 in the report.

10

In this particular case, I mean, for 2002, it's -- you know, it's not a huge budget. It's 14,600, but the entire budget is going to CRNA, so by our definition, 100 percent of that budget is going to a nongovernment organization. None of it's going to a State or Federal agency. That's how you look at these tables.

14

Mr. Chairman, before we get into any final recommendations or advice on the part of the Council, there's one other issue we need to go through. Earlier what I said was the way the TRC looked at this is we looked at the Copper -- really the Copper River issues and to a lesser extent Prince William Sound issues driving the strategic priorities in these projects. We very systematically categorically excluded any new Cook Inlet work. That was because at the time this was going on, rural determination, the issue had not been resolved. It wasn't clear what was going to happen. We went through the action last February. I think everyone was in agreement.

22

Yesterday at the start of the regulatory discussion, Tom Boyd talked about the staff recommendation from a regulatory standpoint of how staff is going to be trying to deal with the Cook Inlet regulatory issues, and I think to summarize the pertinent points as it relates to the

25

1 funding program, I think what he said was
the staff right now is recommending
2 establishing subsistence fisheries at Cook
Inlet based on existing sport fishing
3 regulations as a first step, and the
subsequent steps would be information-based.

4 Okay?

That means go collect
5 information. Well, this is the program that
collects information.

6 And so, I guess the question we
would pose to the Council is: This entire
7 draft plan we just spent the last 20 minutes
talking about, didn't take that into
8 account. We were operating under the
paradigm, if you will, that Cook Inlet was
9 still an unknown to us, but now -- there's
actually a very clear recommendation for the
10 work to be done in Cook Inlet, the next most
important work in Cook Inlet is to go
11 collect harvest use and needs information.
That's harvest monitoring work. That's
12 where it would fit in this program.

So, the question that we have for
13 the Council and what we're looking for a
recommendation on is from your perspective,
14 is the plan that we've drafted here, is this
still appropriate to carry through with for
15 fiscal year '02 and then what we would do is
if you viewed the Cook Inlet work as being
16 important work, then we would -- we would
want to know from your perspective as we go
17 through the '03 process, '03 call for
proposal, next year's new work, how would
18 you view Cook Inlet as opposed to the Copper
River and those kinds of things. To be
19 quite frank, there's also an opportunity
that, you know, right now, to basically put
20 this entire program on hold or just kind of
pull it back and try to kind of fast-track a
21 call for proposals for Cook Inlet for fiscal
year '02. That's -- that's the discussion
22 that we need to have with you and we're
looking for your recommendation on.

23 I'll throw it open to questions
here and if you need clarification on that,
24 I'll be happy to respond.

25 MR. LOHSE: Doug, while I can't
speak for the Council, I remember what it

1 was like when we started this program and
2 tried to fast-track things and it seems to
3 me like a calculated look at what we want
4 over the course of a year and solicit for
5 good, solid proposals would make a lot more
6 sense than to try to see if we could quickly
7 throw something together and come up with
8 something that could be shoved in here in
9 place of what we've been working on.

10 I don't know if the rest of the
11 Council feels that way, but I would see that
12 by next year I would hope, by 200- -- by the
13 time we're working on the 2003 budget,
14 recognizing what's going on in Cook Inlet
15 we'd have some good, solid review proposals
16 in front of us to address some of the
17 problems in Cook Inlet. With that, I'll
18 turn it over to some of my Cook Inlet people
19 here and see what they say.

20 MR. ELVSASS: I agree with both
21 versions.

22 (Laughter.)

23 MR. ELVSASS: No, I have to agree
24 with what Ralph said. We've got these
25 programs. We can throw something together
or, you know, 90-day wonder and then forever
we'll wonder, and let's do it right. Let's
get these programs going, let's do them.
They're very solid programs, they're in the
mill, and certainly the Cook Inlet issues
are going to need a lot of data, a lot of
background, and Cook Inlet wanted -- when it
really gets going the way I see it, it's
going to be a very thorny issue. We're
going to have the views of people like Fred
Barr and so forth and we need the data to
back those up. We can't say my friend told
me this and that, so, with that, I say let's
keep on track and let's address Cook Inlet
next year in a timely fashion and also look
for good proposals for doing the work and
doing the work to answer the questions
that's going to be coming up.

26 But I think we better stay on
27 track. I better let Clare say something.

1 MR. LOHSE: Clare?

2

MS. SWAN: I was just thinking,
3 oh, my God. Anyway. I agree, Fred. I
think we've been at all this a long time and
4 there's no need. I think it would be
certainly not productive, because that is
5 going to be -- there will be whining and
gnashing teeth, so, I think we should
6 continue with these programs and go on into
next year and solve the puzzles. It seems
7 to me they're going to have to start over.

8

MR. LOHSE: Fred or Roy, do you
9 wish to speak to that at all?

10 MR. EWAN: I don't have any
comment.

11

12 MR. LOHSE: Does that give you a
little bit of direction that way, Doug?

13

MR. MCBRIDE: Absolutely,
14 Mr. Chairman. I guess two things. I think
one of the things we could do -- again, I
15 pose this as a question. When we do the
2003 call for proposals -- that will happen
16 this November -- we could very explicitly
solicit proposals for Cook Inlet harvest and
17 use needs, make it quite obvious that that
strategic priority is floating at the top of
18 the list for this region -- if that's your
recommendation, I think that would carry a
19 tremendous amount of weight.

20 MR. LOHSE: I think that would be
my recommendation at this point in time. I
21 don't know -- I'd have to look to the rest
of the Council on that. But I think if
22 you -- for one thing, they're going to have
to identify some of the needs. A lot of
23 these proposals were put in in response to
needs -- that's allocation and management
24 needs that showed up that they were
addressing specific -- they were addressing
25 specific needs and this will give them time
to see what some of those needs are and to

1 come up with projects that would meet -- you
2 know, meet actual needs and not just
3 projects that are projects that somebody
4 thought of as a project. And so, I think to
5 put a specific call for Cook Inlet projects
6 for next year would be well advised. And I
7 mean, that -- would that be the
8 recommendation of the rest of the Council?

9 MR. ELVSASS: I would say, "Yes."

10 MS. SWAN: Yes.

11 MR. LOHSE: I don't think we need
12 a formal vote on that. That's a consensus.
13 And then what you need right now
14 then is you need whether or not we agree
15 with your assessment as to will projects
16 have the priorities whether we agree with
17 the recommendations of the staff on the
18 monitoring projects that you've put before
19 us?

20 MR. MCBRIDE: Exactly.
21 Do we need a motion on that or a
22 consensus? Do we need a motion, Ann? What
23 would you say?

24 MS. WILKINSON: You could do a
25 motion. That is our formal way. If you
26 want to do it by consensus, you can do that.

27 MR. LOHSE: Somebody would make a
28 motion that we have to put some kind of
29 motion on the table. If somebody will make
30 a motion that we -- I don't know how you say
31 it, agree to recommendations that were put
32 before us on projects, then we can discuss
33 them and decide whether we want to take them
34 off or not.

35 MS. SWAN: So moved.

36 MR. LOHSE: It's been so moved.
37 Do I hear a second?

38 MR. ELVSASS: Yeah.

1 MR. LOHSE: Seconded by Fred.
2 We have in front of us, then we
3 have the four projects that he's put before
4 us, which is the project on the Copper River
5 with the radio tags and the chinook to find
6 out timing and where they go, migration
7 timing and distribution. And that basically
8 would take care of our stock status
9 assessment funding that we have in this area
10 for this year.

11 Does anybody see any of the other
12 projects as more important that they would
13 rather replace that with something else out
14 of the four projects that are in front of us
15 on that?

16 Any comments from any other
17 members of the council?
18 Fred?

19
20 MR. ELVSASS: Well, you know, you
21 could say they're more important, less
22 important. We're restricted by what we can
23 do, by the amount of funding available, and
24 we would lose a tremendous amount of money
25 if we didn't already -- already invested if
26 we don't continue what we have. So, I say
27 that we have the fishwheels available, we
28 need to keep the tagging program going, and
29 the radio monitoring goes along with it. It
30 won't happen if you don't do it now.
31 So, let's do it and make certain
32 and get it done. I don't have any concept
33 of how many chinook are in the Copper River.
34 Hopefully, when this is done we'll know a
35 lot better about whether or not, maybe I can
36 go get one.

37
38 MR. LOHSE: No, you can't. That
39 information is only available to people who
40 live in the Copper Basin.

41 MR. ELVSASS: I can move.

42 (Laughter.)

43 MR. LOHSE: Roy?

44 MR. EWAN: Mr. Chairman, I really
45 agree with Fred. In fact, I do agree with

1 Fred. I think it's a study about species
that is very important for subsistence. I
2 think there may be other priorities or
needs, but I agree with Fred. The -- I'd
3 like to see the project complete. Just keep
on going until we get the results you need.
4

5 MR. LOHSE: Anybody else wish to
speak to that one?
6

7 MS. SWAN: Mr. Chairman, I think
it's really a prudent and productive thing
8 to do, because we will lose if we don't add
on to the existing program and just do it
9 while we can.

10 MR. LOHSE: Thank you.
Okay. Fred, do you want to say
11 anything on it?

12 MR. JOHN: No.

13 MR. LOHSE: Lets go to the TEK
projects, harvest monitoring TEK projects,
14 the Copper River Native Project, the Native
Village of Eyak Project, and the
15 Chenega/Tatitlek Project, if I remember
right. And then there's a Chenega/Tatitlek
16 proposal that part of it was incorporated in
the other project and part of it was
17 rejected completely from the staff
standpoint, right?
18

19 MR. MCBRIDE: Correct.

20 MR. LOHSE: Now, if we would take
the one that the staff doesn't recommend,
that pretty well precludes all of the other
21 projects right there.

22 So, if anybody wants to make any
comments on those, we can. Otherwise, we
can look at them and we can take a vote on
23 the motion to support the ones that are in
bold type.
24

25 MR. LOHSE: This one right here
(indicating).

1 MR. MCBRIDE: Table 4?

2 MR. LOHSE: Table 4.
3

4 MR. LOHSE: And it's -- it's
easier just to take this one.

5 MR. MCBRIDE: If you're looking
at the book, Roy, it's page 15.

6 MR. ELVSASS: You got it?

7 MR. EWAN: Okay. I got it. I
8 was just looking at that -- Mr. Chairman,
what confused me, you were mentioning
9 projects. It doesn't say here which Native
Corporation or --

10 MR. LOHSE: I got that, I think,
11 from Doug's presentation that basically says
077 is going to be done in conjunction with
12 the Copper River Native Association; 075,
will be done in conjunction with the Native
13 Village of Eyak; and 028 will be done -- I
don't know if it's considered Chenega and
14 Tatitlek or whether it's considered
Chugach -- Chugach Region. So, those are
15 the NGOs that will be working in it.

Then the first one is also by the
16 Chugach Region, and that was the one that
portions of it weren't recommended and
17 portions of it were included in 028. So, to
me that looks like we get the best bang for
18 the buck to have the three of them right
there.

19 MR. ELVSASS: In the bold type?

20 MR. LOHSE: That are in bold
21 type. Anybody in the rest of the Council
has got any suggestions on that?

22 Otherwise, we can call for the
question, and the motion on the table is to
23 support the recommendations of the 2002
Fisheries Resource Monitoring Plan.

24
25 MS. SWAN: Question.

1 MR. LOHSE: Question has been
2 called. All in favor, signify by saying
3 "aye."

4 COUNCIL MEMBERS: Aye.

5 MR. LOHSE: Opposed, signify by
6 saying "nay."

7 Motion carries.

8 And with that, I think we are
9 going to recess for the day.

10 We'll be starting in the morning
11 on -- yes, we'll -- we'll be calling for
12 proposals to change Federal Subsistence
13 Wildlife Regulations, and then we will go
14 straight into customary trade. And then
15 we'll go for the Regional Council Charter,
16 agency reports, election of officers, other
17 new business, and we'll adjourn somewhere
18 around 8:00 o'clock tomorrow night.

19 MR. EWAN: What time are we
20 starting?

21 MR. LOHSE: 8:30, we'll start in
22 the morning.

23 Do we need to take our stuff
24 tonight?

25 MS. WILKINSON: Mr. Chairman, no,
you don't need to take your stuff.

MR. LOHSE: Before you leave,
just in case one of our members isn't here
at 8:30 in the morning, there's a
possibility he won't make it until 9:00, I
was thinking that we might ask for a
volunteer from one of the agency reports to
start the day off with. So if there's any
agency that would like to be the one to
volunteer to give their report first thing
in the morning, you'd be done.

MS. SHARP: I would, but I have a
conflict first thing in the morning.

MR. LOHSE: Anyhow, that's what

1 we're going to try to do. Otherwise, we
2 don't have anybody who wants to start off
3 with a report. We probably won't get
4 started until pretty close to 9:00 o'clock.
5 We're definitely not going to get on to
6 customary trade until everybody's here.

7 (Southcentral Subsistence
8 Regional Advisory Council adjourned at 5:15
9 p.m.)
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1

2 I, Sandra M. Mierop, Certified
3 Realtime Reporter, do hereby certify that
4 the above and foregoing contains a true and
5 correct transcription of the Southcentral
6 Federal Subsistence Regional Advisory
7 Council meeting reported by me on the 2nd
8 day of October, 2001.

6

Sandra M. Mierop, CRR, RPR, CSR

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